



Province of Newfoundland and Labrador

FORTY-SEVENTH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND AND LABRADOR

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Volume XLVII

SECOND SESSION

Number 38

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HANSARD

*Speaker: Honourable Ross Wiseman, MHA*

Monday

02 December 2013

The House met at 1:30 p.m.

**MR. SPEAKER (Wiseman):** Order, please!

Admit strangers.

On Thursday of last week the Leader of the Third Party and Member for Signal Hill – Quidi Vidi stood in this House and raised a point of order with respect to the proceedings in the House at the close of Wednesday's Private Members' Day. I have reviewed her argument as laid out in Hansard and have also reviewed the video clip and Hansard for the relevant time.

In order to rule on this I would like to address the major points that were raised by the member.

Firstly, the member indicated that the Speaker ruled twice that the vote on Wednesday's motion was defeated and that he then adjourned the House. The member quoted from O'Brien and Bosc with respect to a need for decisions of the Speaker on the vote and the adjournment to stand.

Hansard, which is the official record of our proceedings, and the video clip both show that the Speaker declared the motion defeated and that immediately a Division was called for and acknowledged by the Speaker. It was after this acknowledgement that a second statement respecting the defeat of the motion and the adjournment of the House was made.

It is clear that, in the following order: the question on the resolution was put to the Assembly; there was a voice vote on the question; the Speaker voiced the carriage of the decision; and then a Division was called.

As this was a Private Members' Day motion, our practice for Wednesdays must be considered. It is usual for the Speaker to call the vote, the ayes and nays, after the question is put, at or before 5:00 on Wednesdays. It is only then that Division is called for. Frequently the Speaker states his opinion as to the decision expressed by the House. One does not have to search far for this record.

I would direct you to Hansard on April 24 of this year, 2013. The Speaker declared, on a voice vote, that the resolution was defeated. After this decision, which is the Speaker's opinion of what he had heard, Division was called and a recorded vote was carried out.

Standing Order 16 requires that a record of the vote cannot be entered unless Division has been demanded by three or more members. The Speaker acknowledged the request when this number of members arose and called for a Division.

In our House, a call for Division is a call of three or more members to record the vote of all members on a question and is the means by which we confirm the decision of the House. In fact, the bells are rung to ensure that all members able to vote can be called into the Chamber to do so. It is a right of all members to call for a Division to have their vote recorded.

Calling for a Division after having heard the Speaker rule that a motion is carried or defeated does not mean that the Speaker is reflecting on, rethinking or reversing a decision. It is the Speaker expressing the will of the House that each member has his or her vote recorded.

As was quoted by the member from O'Brien and Bosc on pages 567-568, "...The Speaker listens to both responses, judges the voices and the sense of the House, and states his or her opinion as to the result..." The actual decision of the House is the recorded vote. The proper course of action of the Speaker after hearing a call for a Division is to ensure that a recorded vote is carried out.

Secondly, the Member for Signal Hill – Quidi Vidi referred to Standing Order 9 which states in part, "...At the hour of 5 o'clock on Wednesday afternoon the Speaker adjourns the House without question put."

Also, the member referred to Standing Order 33, which says that a motion to adjourn is always in order. There was, however, no motion to adjourn, so Standing Order 33 is not relevant.

The member went on to say, as well, there was a reliance on O'Brien and Bosc with respect to not reopening discussion and not "reflecting upon a vote".

I must state that under Standing Order 63(4) at 5 o'clock on Private Members' Day the question being debated must be "put". Therefore there are two responsibilities for the Speaker. One is to put the question on the debate by 5:00 p.m. and the second is, if the debate has continued until 5:00 without the question being put, then the House is adjourned without a vote.

The question was, though, put before 5:00 p.m. Debate was not continuing. The only matters continuing past 5:00 p.m. were procedural in nature in order to accomplish a proper conclusion to determining the decision of the House.

O'Brien and Bosc, on page 401, states, "The House may continue to sit beyond the ordinary hour of daily adjournment prescribed in the Standing Orders...."

In addition, MacMinn indicates on page 7-8, "Upon interruption of proceedings by the clock, certain routine matters may be completed by the House prior to the Speaker.... leaving the Chair. The general rule is that opposed business cannot be taken after the hour of interruption."

The hour of interruption in our case is the 5:00 o'clock stated in our Standing Orders. The foregoing citations indicate that a vote, as a routine matter, could continue past 5:00 p.m., but further debate by members could not. Hansard reveals that there was no reflection upon the vote and no opening of discussion or debate. This was a recording of votes only.

Ultimately, it was unfortunate that the Speaker said that the House was adjourned because the first and primary call upon the Speaker was to call for Division, when requested to do so. This slip was corrected immediately. The Speaker is clearly elected to preside over debate and to enforce and interpret rules and procedures. Embedded in the Speaker's role is that he or she shall follow the will of the House.

Erskine May, 19<sup>th</sup> edition, states on page 228, "The Speaker...is the representative of the House itself and its powers and proceedings and dignity...."

Beauchesne's 6<sup>th</sup> edition, on paragraph 167, would state, "The essential ingredient of the speakership is as a servant of the House...."

Consequently, it is incumbent upon the Speaker to follow the will of the House in this instance. The will of the House was to have a Division, and to do otherwise would have placed the Speaker in a position that was clearly contrary to the will of the House.

There is no point of order.

### Statements by Members

**MR. SPEAKER:** Today we will have members' statements from the Member for the District of Mount Pearl South; the Member for the District of Bonavista South; the Member for the District of Port de Grave; the Member for the District of Signal Hill – Quidi Vidi; the Member for the District of The Straits – White Bay North; and the Member for the District of St. John's East.

The hon. the Member for the District of Mount Pearl South.

**SOME HON. MEMBERS:** Hear, hear!

**MR. LANE:** Mr. Speaker, it is my pleasure to rise in this hon. House to congratulate the City of Mount Pearl on receiving Municipalities Newfoundland and Labrador's Torngat Award for Excellence in Governance at the recent MNL Convention and AGM.

Municipalities NL's Torngat Awards program recognizes the exemplary efforts of member municipalities in serving their residents and improving quality of life in their community.

This year's Award of Excellence in Governance recognized the City of Mount Pearl's achievements in its efforts to minimize risks and challenges associated with information management. The city has developed a

comprehensive information governance framework which incorporates information management in all the city's core functions, supports cutting-edge technology, accelerates decision making, minimizes compliance risks, privacy risks, and achieves efficiencies.

I would ask all members of this hon. House to join me in commending the City of Mount Pearl for their progressive initiatives, ongoing commitment to continuous improvement, and excellence in municipal governance.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Bonavista South.

**SOME HON. MEMBERS:** Hear, hear!

**MR. LITTLE:** Thank you, Mr. Speaker.

I rise today to recognize and congratulate a team of twelve students from Heritage Collegiate in Lethbridge, Bonavista South, for their recent success in an International Robotics Competition.

On May 3-4 of this year the team participated in a Marine Advanced Technology Education competition held at the Marine Institute. Of the twenty-four schools being represented at the event, Heritage Collegiate came first for the Remotely Operated Vehicle that they built.

In June, the students travelled to Seattle, Washington, to compete in the Ranger Division of an International Robotics Competition. Thirty-one teams participated in each division, representing over 600 teams worldwide. The competition was judged on various categories: mission score, technical report, engineering, poster, and safety.

Our students of Heritage Collegiate finished second overall in their division. Their success can be attributed to countless hours of hard work and dedication, as well as the guidance of their

teacher mentors, Lyndon Williams and Sue Strong.

Mr. Speaker, hon. colleagues, please join me in congratulating Gregory Ash, Jenna Blagdon, Laura Blundon, Braden Chaffey, Zachary Chatman, Sebastian Greening, Patrick Holloway, Spencer Holloway, Arne Maeland, Magdalena Maeland, Macailyn Pitt, and Lucas Strong, some truly bright and talented individuals.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for the District of Port de Grave.

**MR. LITTLEJOHN:** Thank you, Mr. Speaker.

I stand today in this hon. House to recognize seven young women from my district who recently received their Girl Guides of Canada, Canada Cord, the highest honour for Pathfinders in the country. Girl Guides of Canada is proudly the organization of choice for young women aged five to eighteen in this country.

The Canada Cord is awarded upon completion of a three-year program. In total, over twenty diverse badges, a leadership project, community service, first aid training, and a citizenship challenge must be completed. The girls explore their communities through active involvement and volunteer service. There is also an emphasis on global and environmental awareness and developing outdoor skills through camping and hiking.

Each challenge is relevant to young women of today, encouraging them to tap into their talents, develop confidence to face the challenges of life, and to get along well with their friends and families. Emphasis is placed on leadership skills, decision making, and, most of all, fun!

I ask all hon. members to join me in congratulating Taylor Petten, Julia Petten, Megan Nolan, Gabrielle Neil, Makayla

Mugford, Shelby Caravan, and Shelby Batten on this significant achievement.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Signal Hill – Quidi Vidi.

**MS MICHAEL:** Thank you very much, Mr. Speaker,

I am fortunate to represent a colourful and diverse district with a piece of history on practically every street corner.

In Quidi Vidi Village, for example, you will find Mallard Cottage, an Irish-Newfoundland vernacular style cottage, recognized as a National Historic Site of Canada and one of the oldest wooden buildings in North America.

After a century and a half as residence for the Mallard family, who fished and farmed in the area, Mallard Cottage spent more than two decades as a popular antiques shop.

In 2011, the cottage was purchased by Chef Todd Perrin, Kim Doyle, and Stephen Lee. The building was lovingly restored, hard work that was recognized in June this year when they were honoured with the Southcott Award.

Todd and his team had a setback in July when an electrical fire damaged parts of the building, but I am happy to report they persevered and on November first, they opened for business and are already well-established on the local dining scene with their unique twist on traditional foods.

I ask all hon. members to join me in congratulating Todd Perrin. His creative vision and perseverance mean the continued existence of a unique piece of this Province's history.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Mr. Speaker, I rise in this House to recognize three Randell brothers of Bide Arm, Ralph, Kevin, and Keith, crew of the *White Star I*, for their daring sea rescue.

On November 18, Tom Fillier and Graham Hancock departed Conche harbour to go turr hunting. Despite promise, the two lost their gearbox, leaving them stranded at sea. They did not worry at first, as it remained fair and there were others on the water. Deteriorating weather conditions prevented paddling to safety, fires were set, and ammunition fired. With no sign of a rescue, a 'graplin' was thrown to prevent them from edging into cliffs.

When darkness fell, Ralph Randell contacted Coast Guard radio, St. Anthony, and then JRCC Halifax requesting to join the search. The brothers in adverse weather conditions scoured the coastline with no success. Hours later the crew spotted a glimmer off Conche. The experienced crew used their resourcefulness to get both men safely on board by casting a float on a rope to secure the speedboat. Their sound judgement and bravery brought the pair home to their families.

I ask all hon. members to join me in congratulating the Randell brothers for using their extraordinary skill to save human life. They are true heroes.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's East.

**MR. MURPHY:** Thank you, Mr. Speaker.

Mr. Speaker, this year the students at Rennie's River Elementary School have something new to enjoy, and they have it because of their own hard work.

On Friday, September 6, students, staff and parents celebrated the launch of their brand new playground. They took an unused and deteriorating former parking lot and transformed it into an inviting green space full of play opportunities.

The students played an integral part in this project. Not only did they spend the better part of a year working hard to raise the \$45,000 that the new playground cost to build, but the students actually decided, through a vote, what the components of that playground would be. They have new basketball nets, new hopscotch grids and square ball courts, and even a reading area especially for those who want to sit and read.

I ask all hon. members to join me in congratulating the student, staff and parents of Rennie's River Elementary. They taught us, as they said in their school newsletter, "that anything is possible when you set a goal and work hard to achieve it and that more things are possible when we work together."

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Before we proceed, I want to make mention of a couple of special guests in our galleries today. We have joining us from the Combined Councils of Labrador, President, Tony Andersen, representing the North Coast, and Mr. Alton Rumbolt, a representative from the South Coast.

Welcome gentlemen to our galleries.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Statements by Ministers.

#### Statements by Ministers

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DAVIS:** Thank you, Mr. Speaker.

Mr. Speaker, child care plays a vital role in the healthy development of children, families and communities, as well as provides essential support to parents engaged in the labour market. Under our government's 10-Year Child Care Strategy, *Caring For Our Future: Provincial Strategy for Quality, Sufficient and Affordable Child Care in Newfoundland and Labrador* improvements continue to be made in child care with the introduction of new initiatives and improvements to existing programs and services.

Now in its second year of implementation, *Caring For Our Future* is demonstrating our government's ongoing commitment to strengthening regulated child care services. This strategy allows us to not only promote healthy child development, but to contribute to building a skilled future workforce as we improve the quality, sufficiency and affordability of our child care system.

In *Budget 2013: A Sound Plan, A Secure Future*, our government allocated an investment of \$31.1 million for child care, with a focus on continuing the implementation of *Caring For Our Future*. To date, significant progress has been made under the strategy and that includes: creating 465 additional regulated spaces in twenty-one child care centres under the Child Care Capacity Initiative; developing over 400 regulated spaces in two years under the Family Child Care Initiative, bringing the total to 754 spaces in 133 regulated family child care homes.

It includes implementing a revised Early Learning and Child Care Supplement Program based on a position held in a child care centre. Now eligible early childhood educators working in a child care homeroom receive \$6,660 annually, an increase of \$3,330; and eligible early childhood educators working as program operators receive \$10,000 annually, an increase of \$3,400.

It also includes awarding Requests for Proposals to develop an operating grants program for commercial and non-profit child care centres throughout our Province, and to review the

Child Care Services Subsidy Program; and also includes reviewing the current Child Care Services Act and Regulations, and the inclusion supports program.

Mr. Speaker, addressing quality, sufficiency and affordability of child care services remains a key priority for our government, and we have seen almost a 70 per cent increase in the total number of regulated child care spaces since 2003. Currently, we have 7,787 regulated child care spaces throughout Newfoundland and Labrador and we are very excited about the direction that child care is continuing to take in our Province.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. Creating new child care spaces in this Province is certainly good news. Parents are struggling all over to find spaces all across this Province. I hear regularly from parents and care givers dealing with this issue. Supporting these parents and the children is important, not only in the development of the children but also in supporting the parents.

The minister talks about the importance of promoting healthy child development. While this is a good step in supporting our children, CYFS has a significant amount of work to do to ensure that our most vulnerable are protected.

In the spring the Child and Youth Advocate released three reports, all of which contained recommendations to help our most vulnerable. The CYFS system is still fragmented; departments and agencies are not working together as they should be. Our children deserve to be protected. Right now they are not.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you, Mr. Speaker.

I, too, thank the minister for the advance copy of his statement. Quality, accessible, and affordable child care is a basic program in a healthy economy. It is an investment in early childhood development and an investment in young working families.

The creation of more regulated child care spaces is a good thing. There are many parents across the Province who cannot afford daycare costs – for some, it is \$800 to \$1,000 a month per child. There are 50,000 children under ten years of age and 30,000 working mothers in Newfoundland and Labrador, so 7,780 spaces is not meeting the demand, nor is our child care program doing enough for parents with modest incomes.

Many mothers cannot work outside the home because they cannot afford child care. We all know the incredible barriers to employment due to the lack of accessible, affordable child care for many young working families. We need a Made in Newfoundland and Labrador universal program to bring –

**MR. SPEAKER:** Order, please!

I remind the member her time has expired.

**MS ROGERS:** Thank you, Mr. Speaker.

**MR. SPEAKER:** Does the Member for St. John's North have leave?

**AN HON. MEMBER:** Leave.

**MR. SPEAKER:** The hon. the Member for St. John's North.

**MR. KIRBY:** Thanks to the minister for an advance copy of his statement. Government's 2012 increase in the subsidies paid to ECE applies only to Level I ECEs working in child care homerooms and Level II ECEs who operate child care centres.

I have been presenting a petition for some time now on behalf of ECEs to get a change there to have that enhancement apply to all ECEs; but I would say also, Mr. Speaker, ten years is a long time to wait for these changes. I have said a number of times now it is more like a grandchild care program than a child care strategy.

Thank you.

**MR. SPEAKER:** The hon. the Minister of Service Newfoundland and Labrador.

**SOME HON. MEMBERS:** Hear, hear!

**MR. CRUMMELL:** Mr. Speaker, I am pleased to rise today in this hon. House to recognize this week as National Safe Driving Week, which officially began on Sunday, December 1.

With winter approaching, we need to be prepared for winter road conditions. National Safe Driving Week provides a valuable and timely opportunity to raise awareness of potential road hazards and the need to cultivate safer, more defensive driving habits.

Mr. Speaker, this government is always reviewing the Highway Traffic Act for opportunities to enhance road safety in Newfoundland and Labrador. Recently, I was pleased to bring forward amendments to the act to protect enforcement, emergency and service personnel at roadside. Under the changes to the act, drivers approaching these workers must slow down and move over to give a wide berth. This will have a major impact on the risks faced by these individuals.

In addition, we also brought in amendments to prohibit backhoes, front-end loaders and other slow-moving vehicles from travelling on highways where the speed limit is greater than eighty kilometres an hour, reducing the occurrence of potentially dangerous scenarios caused by interrupting the flow of faster-moving traffic. We also included amendments that will enhance enforcement of laws surrounding school zones and passenger seat belt use.

Mr. Speaker, it is important that we all take responsibility and adjust our driving to weather conditions. I urge all Newfoundlanders and Labradorians to plan your routes, and allow enough time to avoid rushing to your destination. As the holiday visiting season begins, please take care to never drive when fatigued or under the influence of alcohol or drugs.

National Safe Driving Week is from December 1 to 7. As we move into 2014, I urge all members to join me in advocating road safety in our Province, and to encourage everyone to please drive defensibly, wear a seatbelt, and eliminate distractions and aggressive driving behaviours behind the wheel.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Torngat Mountains.

**MR. EDMUNDS:** Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement.

Mr. Speaker, we too would like to recognize National Safe Driving Week. As weather conditions change and we settle into driving winter conditions, we need to be more aware of the hazards and the challenges that come with it. Many of us have been involved in a vehicle accident and it is not something that we would like to see on our roads and highways.

Mr. Speaker, it is great to see legislation coming forward that will hopefully improve safety of our highways and mitigate the potential for tragic automobile accidents. Now if we could only bring forward legislation that protects other modes of transportation, like ATVs, snowmobiles and, yes, bicycles. The need for this legislation has been raised by my colleague, the Member for Burgeo – La Poile. Mr. Speaker, I am talking about bicycle helmet legislation to protect our young people. We are



only one of three provinces that have yet to enact bicycle helmet legislation.

National Safe Driving Week is from December 1 to 7, but we also encourage our drivers to drive safely and obey the rules of the road 365 days a year.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's East.

**MR. MURPHY:** Thank you very much, Mr. Speaker.

I would also like to thank the minister for the advance copy of his statement here today.

It does concern Safe Driving Week, this week of December 1 to 7. Government has been passing along some very forward-looking changes to the legislation in the Highway Traffic Act. I was absolutely pleased to have government pay attention to the simple fact that we needed move-over legislation for the protection of highway workers in this Province. I was only too glad to sit down with the staff and give them my views as regards to move-over legislation and how it can be enacted to help protect our highway workers. So I was very pleased with that.

Government does listen from time to time, but I am particularly glad they listened to that one. I would also like to thank government as regards to its announcement here when it talks about the simple fact that we are dealing with harsh weather conditions. If there is any one important piece of advice to give any driver out there, with all the experience that I have on the roads, about twenty-four years of commercial driving –

**MR. SPEAKER:** Order, please!

I remind the member his time has expired.

**MR. MURPHY:** Thank you, Mr. Speaker.

**MR. SPEAKER:** Does the Member for The Straits – White Bay North have leave?

**SOME HON. MEMBERS:** Leave.

**MR. SPEAKER:** The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Thank you, Mr. Speaker.

I, too, thank the minister for an advance copy of his statement.

I would just like to point out that legislation will only go so far. Government needs to make more practical action when it comes to looking at expanding winter snow clearing, doing proper brush clearing, more twinning of highways, the implementation of more rumble strips, as well as improving communications so that we can have enhanced safety on our highways.

Thank you.

**MR. SPEAKER:** Oral Questions.

#### Oral Questions

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

On Budget day, 2012, government projected a deficit of \$258 million. At mid-year the deficit was projected to be \$726 million, and at the end of the year that was \$431 million. Today we have learned that the audited actuals have the deficit at \$199 million.

I ask the Premier: Between the year-end reports and the audited actuals, where did the extra \$232 million come from?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, I am prepared to give some actual numbers for 2012-2013 today and also the mid-year for 2013-2014.

For 2013-2014, we are finding an improvement of \$113 million to what we projected to be the bottom line at the end of the year, a deficit not of \$563 million but down to \$450 million. We found that our revenues have actually gone down by \$94.4 million and our expenses have gone down by \$270.6 million.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

With all due respect, my question was about the \$232 million from last year's Budget. There was \$232 million when we left there in April of – basically on last year's Budget. There was a difference of \$232 million that was mentioned this year at the briefing session.

I ask the minister: The \$232 million, where did it go or where did it come from?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, the hon. member will have to tell me what \$232 million he is referring to, which numbers he is referring to.

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

At the opening of today's briefing session there was mention about last year at the end of the year the deficit was projected to be \$431 million based on 2012 numbers. Today we started out by mentioning that it was \$199 million after the audited accruals were done.

Where did the \$232 million come from?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, the oil production has come back. I think in 2011-2012 oil production was 97 million barrels, the next year in 2012-2013 it dropped to 70 million barrels. Now it has come back to 83.25 million barrels. We are getting a bump in production, and therefore a bump in revenues.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

We found out this morning that not only is this government bad at budgeting but they really cannot even spend the money that they budgeted in this year's Budget. So, \$270 million was budgeted last spring for infrastructure and programs that will not be spent this year.

I ask the Premier: What infrastructure was planned and budgeted for and is now being delayed?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, the hon. Leader of the Opposition fails to appreciate what was actually said. In a Budget, we plan for the spending and the spending is approved here in this House. The spending is legally authorized and we want the spending to go forward.

We would be very delighted if every cent that was approved was spent; but what we know that happens, by looking at historical information, is not every dollar approved, in fact, gets spent. Sometimes they are trying to fill a position that does not get filled until next year. Sometimes

they order a piece of equipment that does not come in until next year. It happens every year; it is called lapsed balances.

We would be delighted if every cent could be spent. We want every cent to be spent; but, looking at historical numbers, it just does not happen.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

Well, we know the historical information, but we also know that this government last year, last spring, promised a family caregiver program. Besides the family caregiver program, which was a budget of over \$6.2 million, which we have yet to see announced, what other programs that were promised last year have not been delivered?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, the Leader of the Opposition is still not getting it. What we do at mid-year, we go to everybody who is spending money and we say: Are you going to spend everything that was in the Budget for you to spend? The answer, mostly, is: Yes, we are.

We know, based on historical numbers, that it just does not happen – certain things, for different reasons, do not get out the door. The department has made an estimate – it is an estimate. We have not told anybody don't you spend here or don't you spend there. We have told them to spend. We would be delighted if they spend every penny, but we know it does not happen. We have made an estimate – it is just an estimate. It is like an allowance of bad debts – same thing.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

When you get up in the House of Assembly and you announce programs like a family caregiver program, there is an expectation, when that money is allocated, that the program will be delivered.

What other programs, except for the family caregiver program, have this government delayed or plan to put on hold?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, the year is not over. Programs will continue to roll out until the end of the fiscal year. We want them rolled out. We would be delighted if they were rolled out.

Mr. Speaker, I have numbers here – for a number of years, drop balance is current: 1.41 per cent, 1.11 per cent, 1.59 per cent; and these were when your party was in office. It happens to everybody, Mr. Speaker – and I will table them, by the way.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

The Privacy Commissioner today released a report on an ATIPPA request to the Premier's office to release records relating to search and rescue operations. He concluded that the Premier's office has improperly withheld these records.

I ask the Premier: Why do you continue to withhold such important information and why be so secretive about such important issues, such as search and rescue?

**MR. SPEAKER:** The hon. the Minister of Municipal and Intergovernmental Affairs.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KENT:** Thank you, Mr. Speaker.

Advocating for improved search and rescue services in this Province is a high priority. We also recognize and respect the role of the Office of the Information and Privacy Commissioner. We are going to do our best to comply with the Privacy Commissioner's recommendation. We have fifteen days to respond to that request. We intend to do so.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

Well, a high priority is one thing, but when you think about it, this is a request that has been ongoing for some time.

I ask the Premier: Are you prepared to release all the information that was requested and recommended by the Privacy Commissioner? Will you do that?

**MR. SPEAKER:** The hon. the Minister of Municipal and Intergovernmental Affairs.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KENT:** Mr. Speaker, ensuring that people's privacy is protected while also ensuring that the public has the most possible access to information is a high priority for this government. As I said previously, we will do our best to comply with this request where we can. It is important to note that at the time of this request we were involved in high-level national negotiations. There was information contained in the documents that were requested that were sensitive and would have impacted those negotiations.

At this time, we certainly respect the role of the Office of the Information and Privacy Commissioner. We will respond within the time frame that is required.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

Prior to the House of Assembly being opened, the Premier made a commitment to release all the documents around the CETA negotiations. Of course, my previous question was about search and rescue, which is a different issue.

So I ask the Premier: When will you table all of the documents related to the CETA discussions that were held?

**MR. SPEAKER:** The hon. the Premier.

**SOME HON. MEMBERS:** Hear, hear!

**PREMIER DUNDERDALE:** Thank you, Mr. Speaker.

Mr. Speaker, that is a commitment that I made when we announced the conclusion of CETA and particularly around the announcement of the \$400 million transition fund. It was not something that I was asked to do; it was something that I volunteered to do and I am going to be very happy to do that within the next few days here in the House of Assembly.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

Last week the UARB in Nova Scotia confirmed that residents of Nova Scotia are protected from any risk of the Muskrat Falls Project. Nova Scotia's Energy Minister specifically said that Emera and Nalcor will bear the project risk. Now, of course, Nalcor is us. That means that

ratepayers in Nova Scotia will not assume this risk.

I ask the Premier: Why have you opened up our Province to yet more risk so that Nova Scotians can be better protected?

**MR. SPEAKER:** The hon. the Premier.

**SOME HON. MEMBERS:** Hear, hear!

**PREMIER DUNDERDALE:** Thank you, Mr. Speaker.

Mr. Speaker, Friday was a great day for Atlantic Canada.

**SOME HON. MEMBERS:** Hear, hear!

**PREMIER DUNDERDALE:** The UARB completed its work in Nova Scotia, Mr. Speaker, and resoundingly approved the plan between Nalcor and Emera to supply Nova Scotia and Newfoundland and Labrador with the cheapest possible power available to its residents. This is a really good thing supported by the federal government in the loan guarantee.

This is a very good project for the people of the Province on a stand-alone basis. Now we are able to commercialize our excess power.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

To use the word that they resoundingly approved this deal is not the case. As you know, if you look at the UARB report it was marginally accepted. The minister has said that the amount of power we give Nova Scotia would depend on hydrology and our provincial needs. The UARB decision clearly states that regardless of what Nalcor does with the excess energy, residents of Nova Scotia will be protected and kept whole. This means that the people of our Province, Newfoundlanders and Labradorians, are on the hook for those risks.

I ask the Premier: What small hydro and wind projects have you considered to meet this new commitment?

**MR. SPEAKER:** The hon. the Premier.

**SOME HON. MEMBERS:** Hear, hear!

**PREMIER DUNDERDALE:** Thank you, Mr. Speaker.

Mr. Speaker, here we go again. The UARB certainly did not describe the project as marginal. What they did say was that Nova Scotians' price that they would be paying for the power from Muskrat was only marginally better than they could get elsewhere. That must be a surprise to our friends opposite who have been trying to convince Newfoundlanders and Labradorians that we have been giving them free power. In fact, we are giving them just less than they could have bought the power from any other market.

The bonus for Newfoundland and Labrador and the bonus for Nova Scotia, Mr. Speaker, is that we now have more than one route to bring power to our provinces. That is as valuable as anything else we are doing in this deal.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** I will remind the Premier one more time that on July 22 at that point the UARB definitely said without the market-priced energy it would not be the lowest priced option.

I ask the Premier again, Mr. Speaker: The small hydro and wind that she has been in the media and said they would construct to meet this need, where is it and what was the price of those projects?

**MR. SPEAKER:** The hon. the Premier.

**SOME HON. MEMBERS:** Hear, hear!

**PREMIER DUNDERDALE:** Thank you, Mr. Speaker.

Mr. Speaker, we are developing Muskrat Falls and using only 40 per cent of the power. That is still the least-cost option for Newfoundlanders and Labradorians.

What we are doing, Mr. Speaker, is taking 20 per cent of the excess power, and for 20 per cent of the cost of building and transmitting Muskrat Falls, we are giving it to Nova Scotia. We are selling it to Nova Scotia; 20 per cent of the electricity, 20 per cent of the cost. On top of the 20 per cent of the cost they are paying, they are giving us a corridor to take our power through Atlantic Canada and down into the Eastern Seaboard. We have 40 per cent of our power left to bring to the marketplace until it is needed in Newfoundland and Labrador.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

I am very surprised with that answer for what it was because we do not know the cost for a start. We do not even know the cost of the Maritime Link. The DG3 numbers are not released as we know of yet, and getting the power out of Labrador into the US, I can tell you, Nova Scotia has something to say about that, too.

If construction costs go up our ratepayers will be charged more, but Nova Scotians will get the same cheap power. If Nalcor pulls back the excess power our ratepayers will be on the hook to supply Nova Scotia. That is the commitment that we made.

I ask the Premier: Why did you put us in this weak bargaining position?

**MR. SPEAKER:** The hon. the Premier.

**SOME HON. MEMBERS:** Hear, hear!

**PREMIER DUNDERDALE:** Mr. Speaker, I say to the Leader of the Opposition, this far into the debate you ought to know how utilities work in this country and in the United States. There is a thing called Open Access Transmission Tariff that allows us to take electricity through Nova Scotia. That does not have anything to do with the Nova Scotia government. This is infrastructure owned by Emera, a publicly traded company in which we have negotiated rights as part of this Muskrat Falls deal.

Mr. Speaker, I will also remind the Leader of the Opposition that we are an energy super warehouse. We have 5,000 megawatts of wind to develop in Labrador, more here on the Island, and lots of small hydro projects. We will make our living and our fortune off renewable energy here in this Province.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Official Opposition.

**MR. BALL:** Thank you, Mr. Speaker.

The Premier forgets one thing, that Nova Scotia has the first right of refusal here.

Will the Premier finally answer the question? She just mentioned about the wind projects and the small hydro. What is the cost of developing those small hydro and those wind projects that you talk about, because we have now taken on the risk for Nova Scotia?

**MR. SPEAKER:** The hon. the Premier.

**SOME HON. MEMBERS:** Hear, hear!

**PREMIER DUNDERDALE:** Mr. Speaker, I correct the Leader of the Opposition again. We have not taken on any risk for Nova Scotia. We have not.

Mr. Speaker, we do have transmission rights. We have transmission rights right into Maine, because of this deal that we have made with Nalcor and Emera.

Mr. Speaker, this is a really great project for Newfoundland and Labrador. It is a great project for Nova Scotia. Not only are they getting electricity marginally cheaper than they could get it from anywhere else in Atlantic Canada or on the Eastern Seaboard, but it gives them the flexibility to be able to negotiate better energy prices down the road. The same as it does for us, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for the District of St. Barbe.

**MR. BENNETT:** Mr. Speaker, earlier today the Minister of Education introduced his new Safe and Caring Schools Policy. I say to the minister: Great announcements do not make for great government, but implementation does and implementation costs money.

I ask the Minister of Education: What is the budget that he set aside to implement the new Safe and Caring Schools Policy?

**MR. SPEAKER:** The hon. the Minister of Education.

**SOME HON. MEMBERS:** Hear, hear!

**MR. JACKMAN:** Mr. Speaker, there is nothing the member can say today to dampen my day, I have to tell him. What a launch this morning with the stakeholders at the table.

We have put in place the protocol and the documents now that teachers and schools can use. What this will do, in fact, is standardize a process. We will work with the school boards and schools now to see the implementation of this plan.

This is another part of the implementation that shows that there is no government in this Province's history that have invested more in education. Today is another example of leading edge, Mr. Speaker, and I would ask the member to join me in sharing that sentiment with all of our stakeholders –

**MR. SPEAKER:** Order, please!

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for the District of St. Barbe.

**MR. BENNETT:** Mr. Speaker, it was a simple question: How much? How much money did the minister set aside to implement this policy?

I remember when he collapsed the boards he said he would save \$12.8 million and would give us that in a spreadsheet; he must know something about numbers. So, I say: How much money has he committed to implement the new Safe and Caring Schools Policy?

**MR. SPEAKER:** The hon. the Minister of Education.

**SOME HON. MEMBERS:** Hear, hear!

**MR. JACKMAN:** Mr. Speaker, the first part of this work was to do exactly what we have done. We had Goss Gilroy that went out and completed their report and came back with recommendations. We have now done work and developed this document.

Mr. Speaker, we will work with all the stakeholders that sat around the table this morning, from the law enforcement agents, to the NLTA, to the Federation of School Councils. Mr. Speaker, the important component of this morning was that we had students sitting with us. We will work with those stakeholders and agencies, and we will see this program implemented to the fullest, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for the District of St. Barbe.

**MR. BENNETT:** I am not debating that it is a good program. In fact, Goss Gilroy said it was a good program. They said that they needed district champions to implement this. Nobody really knew what was going on and there were no funds allocated.

I ask the minister for the third time: How much money has he set aside to introduce the Safe and Caring Schools Policy? He has had more than a year since the report came in.

**MR. SPEAKER:** The hon. the Minister of Education.

**SOME HON. MEMBERS:** Hear, hear!

**MR. JACKMAN:** Mr. Speaker, I cannot give the man an actual number. We are going to work with our partners, all of those agencies from school councils to the NLTA. We work to now implement this program. There has not been a stronger program in the school to counter bullying and to seek out appropriate behaviours before. This was a consultative process that we arrived at in partnership. This is not something that was dictated to.

Mr. Speaker, the pleasure for me this morning was to have a student walk up to me and say: Thank you for what you are doing for us as students. That speaks to all of us.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Torngat Mountains.

**MR. EDMUNDS:** Mr. Speaker, 40,000 artifacts have already been discovered at the Muskrat Falls site while traditional areas are being destroyed by development. Under the Historic Resources Act, there are a number of options, including a thirty-day temporary stop order to salvage historic resources and conduct archaeological investigation.

I ask the minister: What options have you considered to ensure all historic resources are properly investigated and recorded?

**MR. SPEAKER:** The hon. the Minister of Tourism, Culture and Recreation.

**SOME HON. MEMBERS:** Hear, hear!

**MR. FRENCH:** Thank you, Mr. Speaker.

It gives me an opportunity from the hon. member's question to highlight some of the work that has been done on the whole Lower Churchill Project, Mr. Speaker. Since 1998, there have been numerous permits given out by the Provincial Archaeology Office and to date there have been 311 sites discovered really detailing the history of our Province and great for the Aboriginal people in particular.

Of those 311 sites, 245 of them are ethnographic sites, meaning in the last fifty years, but we have sixty-six sites with significant discoveries. Two of them for example, Mr. Speaker, have outlined the old Hudson's Bay trading post, while we have also discovered pre-contact materials that go back hundreds and thousands of years.

**MR. SPEAKER:** Order, please!

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Torngat Mountains.

**MR. EDMUNDS:** Thank you, Mr. Speaker.

I am not debating what has been discovered. I am just trying to get the minister to ensure that the history is preserved, and that includes working with Aboriginal groups in the area to determine the origin of these artifacts.

I ask the minister: Since three Aboriginal groups have frequented this area and the research on these artifacts is not complete, why are officials at Nalcor suggesting that these artifacts only belong to one group?

**MR. SPEAKER:** The hon. the Minister of Tourism, Culture and Recreation.

**SOME HON. MEMBERS:** Hear, hear!

**MR. FRENCH:** Mr. Speaker, there has been significant consultation done between the provincial archaeology office, and as well as the archaeologists with Stantec. Just a couple of weeks ago, for example, the lead archaeologist was actually in Sheshatshiu doing a presentation on the 40,000 artifacts.



Mr. Speaker, from a provincial archaeology office, we even have an agreement with the NunatuKavut to share the actual footprints and where these sites are. So this is open. The agreement has been signed between the NunatuKavut and the provincial archaeology office. We have an annual report that comes which we also share with the Aboriginal groups of Labrador.

So, Mr. Speaker, to say that we have not been including the Aboriginal groups is certainly not true. The provincial archaeology office has been involved with Stantec on behalf of Nalcor right from the very beginning.

**MR. SPEAKER:** Order, please!

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's South for a quick question.

**MR. OSBORNE:** Thank you, Mr. Speaker.

Government just entered into an agreement with Damen shipbuilders of the Netherlands to build a ferry for Fogo and Change Islands. Vessels built in Europe, Mr. Speaker, are subject to a 25 per cent tariff.

I ask the minister: Is the 25 per cent tariff included in the \$51 million figure to build this vessel, or is the 25 per cent on top of the \$51 million?

**MR. SPEAKER:** The hon. the Minister of Transportation and Works.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MCGRATH:** Thank you, Mr. Speaker.

Mr. Speaker, when I announced a couple of weeks ago the \$51 million contract that includes the tariff charge. In saying that, we will be working with the federal government to have that reimbursed to us.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you very much, Mr. Speaker.

In its fiscal update released today, government says spending is down by \$270.1 million due to delayed infrastructure and program spending.

Mr. Speaker, I ask the Premier: What projects are not being done, and what services are people being denied?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, as I said earlier, expenses will be down \$207.6 million. There are no specific programs that we know of that are not going to be completed. We have asked the people who spend the money and get the programs out, we have said, is there anything you are not going to be doing this year? They have told us they are going to be doing everything. That is what is in the Budget.

We know based on past experience that sometimes they do not get it out. It is an estimate. It is no specific program. No program has been cut. No one has been told not to spend the money. We would be delighted if they would get it out. We want them to get it out, but we know based on past experience that sometimes it does not all get out. So there is no specific one, it is just an estimate.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you, Mr. Speaker.

I ask the Premier then: Is the delay in projects due to the government cutting 2,000 public sector jobs and we do not have enough people to do the work in a timely way?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** No, Mr. Speaker.

While I am up, I think I did not answer the question from the hon. Leader of the Opposition. He asked me a question on 2012-2013. The answer to his question is that revenue is down \$182 million, program expenses are down \$191 million, and debt servicing expenses for 2012-2013 are down \$50.9 million. I believe if he does the addition and subtraction he will get his answer.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you very much, Mr. Speaker.

I note the way in which the minister ignored the question that was put to him.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MS MICHAEL:** Mr. Speaker, government's boasting of sound fiscal management and responsible decisions is cold comfort to the nearly 2,000 people summarily fired last spring to deal with a deficit government had been warned about for years.

I ask the Premier: How much did government save on the backs of those fired workers?

**MR. SPEAKER:** The hon. the Premier.

**SOME HON. MEMBERS:** Hear, hear!

**PREMIER DUNDERDALE:** Thank you, Mr. Speaker.

Mr. Speaker, this government is very proud of its record of investment in the people of Newfoundland and Labrador. It is a different world today in Newfoundland and Labrador than it was in 2003. That is because of incredible investments in hospitals, in schools, in roads, in our public service too, I might say.

We have just negotiated great agreements with our unions, Mr. Speaker. There is no government before or will ever be any prouder of its public service than this government.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you, Mr. Speaker.

In the government's so-called Sustainability Plan, in year two they called for reviews of post-secondary education, regional health authorities, and unfunded pension liabilities.

I ask the Premier: Can she tell us what cuts are they expected to make in post-secondary education and health?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, I understand Memorial University is undergoing a review. They are trying to find efficiencies. We expect government departments and we expect entities to be as efficient as they can be and to spend the taxpayers' money wisely. In the case of Memorial University, any efficiencies they find they can keep them and put them into other areas and programs.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Yes, Mr. Speaker, I ask the Premier: Will her government commit in this

House to protecting the Defined Benefit Pension program of government employees?

**MR. SPEAKER:** The hon. the Minister of Finance and President of Treasury Board.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MARSHALL:** Mr. Speaker, I think one thing that all of us recognize, including members of our own party, is that our pension plans are not sustainable. The math is changing, and people are finding that throughout the world.

What we want to do is work with our unions. I met with them last year. Mr. Kennedy met with them this year. We had experts meet with them again. We want to work with them in a co-operative and collaborative way because they have a lot of expertise they can bring to the table with respect to this. We have to fix these things because they are not sustainable as they are right now, and working together I am confident that we can do it.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Mr. Speaker, today government is praising itself for sound fiscal management, last week for giving low-income seniors an extra six cents a day in tax benefit, yet we have more seniors slipping into poverty with the highest percentage in the country needing OAS and GIS. Growing numbers of seniors cannot afford housing. This is not prosperity.

I ask the minister: How many seniors are on the wait-list for Newfoundland and Labrador Housing?

**MR. SPEAKER:** The hon. the Minister of Advanced Education and Skills.

**SOME HON. MEMBERS:** Hear, hear!

**MR. O'BRIEN:** Mr. Speaker, to answer the hon. member's question, we have reduced the wait time in Newfoundland and Labrador

Housing down to about 800 on the wait-list across Newfoundland and Labrador, down from about 1,300 only a couple of years ago to this date.

In saying that, this government has invested in seniors in various programs heavily since 2004-2005 when we brought down our first Budget. As a matter of fact, 86 per cent of the people who avail of the Provincial Home Repair Program are seniors, Mr. Speaker. Also, there are 358 seniors who avail of the Home Modification Program, along with the rent supplement as well. There are also 5,556 units in the Province –

**MR. SPEAKER:** Order, please!

The hon. the Member for St. John's Centre.

**MS ROGERS:** Mr. Speaker, the benefits for the Adult Dental Program was reduced this Budget. Seniors are calling my office in distress. They can only have their top or their lower dentures, or they need other dental work done and cannot. Seniors without teeth is not prosperity.

I ask the Minister of Health: Will she restore the Adult Dental Program so seniors can get the work done that they desperately need?

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Minister of Health and Community Services.

**SOME HON. MEMBERS:** Hear, hear!

**MS SULLIVAN:** Thank you, Mr. Speaker.

On several occasions last week I corrected the member opposite and I am going to do it again, Mr. Speaker. We have not reduced the Adult Dental Program. It was \$6.7 million; it is still is \$6.7 million. In no way have we reduced the program.

What we have done, Mr. Speaker, is we have tried to make it available to as many people as we possibly can in the Province. In doing that, we have offered up a different way of

administering the program; but we certainly have not cut the program and people continue to avail of the program.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The time for Question Period has expired.

Presenting Report by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

#### Notices of Motion

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

I give notice, under Standing Order 11, I shall move that this House not adjourn at 5:30 p.m. on Tuesday, December 3, 2013.

Further I give notice, under Standing Order 11, I shall move that the House not adjourn 10:00 p.m. on Tuesday, December 3, 2013.

**MR. SPEAKER:** The hon. the Member for St. John's South.

**MR. OSBORNE:** Mr. Speaker, I have a private member's resolution for this week:

BE IT RESOLVED that the House of Assembly urge government to considering following the recommendations of their own consultant, Mr. John Noseworthy, and implement a rental rate structure for Income Support clients based on regional market rates.

This is seconded, Mr. Speaker, by the Member for Cartwright – L'Anse au Clair.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Thank you, Mr. Speaker.

Pursuant to Standing Orders, section 3, the notice of motion just entered by the Member for St. John's South is the private member's resolution to be debated this week.

**MR. SPEAKER:** Thank you.

Further notices of motion?

Answers to Questions for which Notice has been Given.

#### Answers to Questions for which Notice has been Given

**MR. SPEAKER:** The hon. the Minister of Advanced Education and Skills.

**MR. O'BRIEN:** Yes, Mr. Speaker, I rise today to table a response to the Member for St. John's North and his question about an analysis completed by, or for the provincial government about the impact in terms of costs, programming, and employment on the Province as a result of the federal government's planned implementation of the Canada Job Grant.

The Department of Advanced Education and Skills was created in the fall of 2011 to help meet a growing demand for skilled labour. In order to meet those labour needs, we are working to maximize the number of people graduating from our post-secondary institutions, with a view to ensuring they are trained in the occupational growth areas of the future.

Under the potential changes to the Canada Job Grant program, the federal government would divert as much as \$600 million in funding from existing programming to the Canada Job Grant. Employers are telling us there is no flexibility in the program. There is a further concern that a requirement of businesses to contribute to the proposed Canada Job Grant in order to participate would leave the majority of small and medium sized businesses excluded.

Mr. Speaker, there are more people working in Newfoundland and Labrador now than ever

before and we must ensure our labour market programs continue to help employers and businesses maximize the tremendous opportunities we are seeing.

The Government of Newfoundland and Labrador has invested heavily in skilled trades programming over the past several years. Over \$98 million in funding has been committed to support initiatives outlined in 2007 Skills Task Force report: All the Skills to Succeed.

Through Budget 2013, \$2.8 million of new funding is supporting the following initiatives to advance apprenticeship opportunities and support women and other represented groups in skilled trades in Newfoundland and Labrador – they include the introduction of a Journeyman Mentorship Program and the expansion of the Apprenticeship Wage Subsidy program.

Mr. Speaker, this Province is once again leading the way to make post-secondary education more affordable and accessible. Post-secondary education students in Newfoundland and Labrador continue to have the lowest tuition fees in the country. Budget 2013 provided approximately \$75 million to reduce student debt by continuing the tuition freeze; up-front, needs-based grants; interest free student loans; and debt reduction programs, Mr. Speaker.

On April 19, 2012 the Government of Newfoundland and Labrador released Access. Inclusion. Equality. – a strategy for the inclusion of persons with disabilities, a first for Newfoundland and Labrador. The strategy is a framework to support action towards inclusion, making everyday activities accessible and inclusive.

Budget 2013 workforce investments included efforts to increase labour force participation particularly amongst underrepresented groups, including Aboriginal people, persons with disabilities, and women. This includes \$800,000 supported with \$7 million in federal funding for the continuation of the Apprenticeship Wage Subsidy program and \$2 million to continue the Journeyman Mentorship Program.

Mr. Speaker, there is also over \$8.6 million in funding for the labour market agreement for persons with disabilities.

**MR. SPEAKER:** Order, please!

I remind the member that his time allocated for his response has expired. If he wishes to table the remaining documents, I would leave that to him.

**MR. O'BRIEN:** Yes, Mr. Speaker, I would like to table it for the hon. gentleman.

**MR. SPEAKER:** Petitions.

### Petitions

**MR. SPEAKER:** The hon. the Member for St. Barbe.

**MR. BENNETT:** Mr. Speaker, to the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned humbly sheweth.

WHEREAS there is no cellphone service in the Town of Trout River, which is an enclave community in Gros Morne National Park; and

WHEREAS visitors of Gros Morne National Park, more than 100,000 annually, expect to communicate by cellphone when they visit the park; and

WHEREAS cellphone service has become a very important aspect of everyday living for residents; and

WHEREAS cellphone service is an essential safety tool for visitors and residents; and

WHEREAS cellphone service is essential for business development;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to partner with the private sector to extend cellphone coverage

throughout Gros Morne National Park, and the enclave community of Trout River.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, recently this government introduced or made mention of the fact that they were considering introducing 911 emergency service. A 911 emergency service is very important, it will be very useful, and it will be a benefit to all residents of the Province who can participate in it.

You need two things for a 911 service: You need a phone and you need an address. If people in many rural communities do not yet have the numbers on their homes, clearly that is going to be maybe a cultural shift that is going to be required that people have to put numbers on their homes, and I see that happening. Maybe a lot of their names that have never been properly named will need to be named in order to co-ordinate this initiative. Another thing they will need is accessibility by cellphone.

The residents of Trout River themselves have telephones generally; however, what about emergency responders who are going to the town called to an emergency? If the ambulance is going to Trout River, if the police officers are going to Trout River, if the Woody Point fire department is going to Trout River, anybody who is going to Trout River will want to be able to use cellphones, in addition to knowing street numbers.

Mr. Speaker, there are so many reasons to have cellphone service. This petition does not ask the government to spend any money. It simply asks government to be the catalyst. This is one of the easy things that government can do. One of the things government can do without spending public funds is simply be the catalyst to co-ordinate the private sector and people in the Town of Trout River to be able to get together to introduce cellphone service.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you very much, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents humbly sheweth:

WHEREAS violent workplace incidents involving convenience store clerks and gas station attendants are a serious health and safety issue; and

WHEREAS many public and private sector employees are being left in vulnerable situations, especially in the opening and closing of their buildings and establishments; and

WHEREAS all workers deserve protection from danger and harm; and

WHEREAS current government regulations are woefully inadequate in providing even basic protection for these vulnerable workers; and

WHEREAS it is the responsibility of employers to keep workers safe and the responsibility of government to ensure employers adhere to regulations;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to immediately enact legislation and regulations to protect workers –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MS MICHAEL:** – in hazardous workplaces including late night shifts in convenience stores and gas stations. This legislation must direct employers to have a minimum of two workers on site after 10:00 p.m. and before 6:00 a.m., or have a secure barrier between the worker and customer in place between these hours.

As in duty bound, your petitioners will ever pray.

I am pleased, Mr. Speaker, to bring this petition on behalf of the people who have signed it. I would like to note that the Federation of Labour of Newfoundland and Labrador supports what this petition is calling for. They, too, have been “calling on the provincial government to implement an inspection blitz targeting retail workplaces where workers are likely to be working alone.” The Federation says, “...this should be the first step in a more broad-based action plan to ensure the safety of lone workers, many of whom are young workers.” We all know students work in the retail sector as they are studying.

We should be bolder and demand immediate change to regulation and/or legislation to stipulate that the employers do what this petition is calling for, Mr. Speaker. We have spoken to a worker in particular who works in a gas station for one of the major oil companies, and this worker points out that oil company refuses to make any accommodations for late-night workers. There are all kinds of examples like that, as the petition is pointing out, and without legislation and government stepping up to the plate there will be no protection for these workers.

Thank you very much, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS Route 430, the Viking Trail, is the primary highway on the Great Northern Peninsula; and

WHEREAS the current road condition of approximately sixty kilometres between Plum Point and Eddies Cove East have sections that are in dire need of resurfacing and/or repaving; and

WHEREAS it is government’s obligation to provide basic infrastructure to all Newfoundlanders and Labradorians; and

WHEREAS an improved road network on this primary highway is needed to enhance road safety and help with local commerce as well as deal with increasing passenger traffic levels in this section of highway;

We, the undersigned, petition the House of Assembly to urge the government to allocate funds under the provincial roads program to pave this section of Route 430.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this section of the highway is indeed in very bad condition. There are a number of residential communities through this area. There are close to twenty communities along this highway as well as the Muskrat Falls Project that is happening, taking place in Shoal Cove in terms of a lot of heavy traffic that is coming through when it comes to the Strait of Belle Isle cable that is going across the Straits region.

The Strait of Belle Isle ferry service, servicing Labrador travels, have almost 80,000 passengers from May to October beyond the shoulder seasons. As well, the St. Anthony area is a major growth centre and government service centre for the Northern Peninsula. L’Anse aux Meadows has a UNESCO World Heritage Site with 30,000 annual visits.

It is quite significant that this highway see improvements because it has quite an impact to the overall economy, the goods and services, and the multiple districts that are impacted when it comes to this section of the highway. I urge government to allocate funds under the

provincial roads program to see this section of highway paved in the coming year.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for St. John's North.

**MR. KIRBY:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS the lack of services and supports in the school system is a serious obstacle to learning for children and youth with autism spectrum disorder; and

WHEREAS long wait lists for paediatric assessment and diagnostic services are preventing many children with autism spectrum disorder from receiving needed early diagnoses; and

WHEREAS the Intensive Applied Behavioural Analysis Program is currently not available for children after Grade 3; and

WHEREAS applied behavioural analysis has been shown to be effective for many individuals beyond Grade 3; and

WHEREAS there is a lack of supports and services for children and youth with autism spectrum disorder after they age out of the Intensive Applied Behavioural Analysis Program; and

WHEREAS it is unacceptable to expect parents in Newfoundland and Labrador to pay thousands of dollars out of their own pockets to cover the costs of privately delivered applied behavioural analysis after Grade 3;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to extend eligibility for Intensive Applied

Behavioural Analysis beyond Grade 3, in consultation with parents, advocates, educators, health care providers, and experts in the autism community.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I have presenting this petition now since the day the House of Assembly opened a number of weeks ago, and they continue to come in from people from all across the Province. Ultimately, I do recognize, and I think parents of children with autism do recognize that we have made great advances in the provision of ABA therapy in this Province in recent years. There is no question about that. There are significant issues with the provision of this service. It was improved upon in the last Budget.

We are not talking about a large number of people here. I was asked on Open Line this morning, how many children with disabilities do we have in our school system? I did not have the statistic in front of me but basically it boils down to this. The number is sufficiently small that we would have absolutely no problem extending this ABA program to additional students beyond Grade 3.

We should try to have this program throughout the school system. We could phase it in year after year incrementally, to make sure that we can prioritize this amongst other things. I think it would be a great idea to work on this for the next budget. Move it to Grade 4 or Grade 5, just move it up.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for St. John's Centre.

**MS ROGERS:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:



WHEREAS the Family Violence Intervention Court provided a comprehensive approach to domestic violence in a court setting that fully understood and dealt with the complex issues of domestic violence; and

WHEREAS domestic violence continues to be one of the most serious issues facing our Province today, and the cost of the impact of domestic violence is great both economically and in human suffering; and

WHEREAS the Family Violence Intervention Court was welcomed and endorsed by all aspects of the Justice system including the police, the courts, prosecutors, defence counsel, Child, Youth and Family Services, as well as victims, offenders, community agencies and women's groups; and

WHEREAS the recidivism rate for offenders going through the court was 10 per cent compared to 40 per cent for those who did not; and

WHEREAS the budget for the court was only 0.2 per cent of the entire budget of the Department of Justice.

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to reinstate the Family Violence Intervention Court.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, once again I stand to present this petition. People who work in the area of family violence, of domestic violence, are still wondering why the court was closed. They are still wondering why such an effective tool, which really helped families, why it would be taken away when its cost compared to other programs in the justice system was so minimal.

The internal review, if only the minister would table that internal review which shows that the court was so effective. As a matter of fact, it was a leading edge program, Mr. Speaker. Nova

Scotia modelled their court on this particular court.

In speaking with people working in this area, and we see that the Evening Telegram is filled with articles about the prevalence of domestic violence in the Province, and –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MS ROGERS:** - there is lots of awareness about the issue. There has been a lot of discourse, a lot of dialogue, but programs that actually work, Mr. Speaker, are so rare, and this is one that worked. People are still wondering why. Why did this government at this time cut such an effective program that was really helping women and children, victims of family violence?

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Cartwright – L'Anse au Clair.

**MS DEMPSTER:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned humbly sheweth:

WHEREAS most communities in the District of Cartwright – L'Anse au Clair do not have cellphone coverage; and

WHEREAS residents of Coastal Labrador require cell coverage to ensure their safety and communication abilities; and

WHEREAS the opening of the Trans-Labrador Highway has increased our dependency on mobile communications;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of

Newfoundland and Labrador to work with the appropriate agencies to support cellphone coverage along the Trans-Labrador Highway and to all communications in Coastal Labrador.

As in duty bound your petitioners will ever pray.

Mr. Speaker, I have stood on this petition a number of times and I will continue to speak on behalf of the residents of Cartwright – L'Anse au Clair.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MS DEMPSTER:** Since the Trans-Labrador Highway has gone through since 2001, Mr. Speaker, we have an increased need for cellphone coverage. Recently, with Muskrat Falls in the backyard and all of the extra heavy traffic that is going through, the roads are busier. The roads, especially in spring and fall, are in a very terrible state. There are more and more accidents happening.

The last two weekends when I was home in Labrador, Mr. Speaker, there were an unprecedented number of accidents. I drove on Saturday night 400 kilometres to Cartwright and back from my community to speak. There was moose, there was caribou. I was thinking, I am alone at 11:00 o'clock at night on 400 stretch of gravel road. There is no cell coverage. You may not see anybody come along until 6:00 in the morning if your accident is late at night.

I urge government to look at the need before serious accidents happen. Time is everything. It can mean life or death. We have had a number of accidents already, Mr. Speaker, where it has been an hour, an hour-and-a-half before someone arrived on the scene. We have ambulances, mail trucks, our school kids. We have people every single day who get on that road and commute from one community to the next for work. Most of them are travelling alone. It is very important that cell coverage be included in the Southeast and through parts of the Labrador Straits as well.

Thank you.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Thank you, Mr. Speaker.

I have a petition. To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned humbly sheweth:

WHEREAS residents of the Southwest Coast must travel the Trans-Canada Highway between Channel-Port aux Basques and Corner Brook for work, medical, educational, and social reasons; and

WHEREAS Marine Atlantic ferries dock at Channel-Port aux Basques at various hours on a daily basis resulting in extremely high volume of commercial and residential travellers using this section of the TCH; and

WHEREAS the world-renowned Wreckhouse area situate along this section of the TCH; and

WHEREAS the Government of Newfoundland and Labrador initiated a twenty-four hour snow clearing pilot project in 2008 that excluded the section of the TCH from Channel-Port aux Basques to Stephenville;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to include the section of the TCH from Channel-Port aux Basques to Stephenville in the twenty-four hour snow clearing project.

As in duty bound your petitioners will ever pray.

Mr. Speaker, I am standing here again in this House today to enter this petition on behalf of not only the residents of Burgeo – La Poile but residents of districts all over this Province, people who travel to and from to catch the ferry. They have to travel through a section of roadway that is not treated the same as other

sections in that they do not have the twenty-four hour snow clearing.

The good news is that my continuance of putting these petitions to the House is that I am getting somewhere with it. I do have a meeting coming up with the minister's staff and the minister as well to discuss this issue.

I am going to continue raising this because I know that common sense resides behind what I am trying to do here. The fact is we need to make sure this section of the roadway is treated the same as the rest of the sections that are getting twenty-four hour snow clearing. I do not have to talk about the Wreckhouse, the fact that it was 180 kilometres the other day. It is an absolutely treacherous spot in the best of times. We should have the same treatment that is supplied elsewhere.

I appreciate the opportunity to stand and continue. I will be doing so until this next meeting.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. Barbe.

**MR. BENNETT:** Mr. Speaker, a petition to the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned humbly sheweth:

WHEREAS the offshore of the West Coast of the Island of Newfoundland is recognized as a region containing potentially billions of barrels of oil; and

WHEREAS hydraulic fracturing could be an accepted and effective method of petroleum discovery and exploration, and is compatible with the protection of the natural environment and water sources when executed within the context of a comprehensive regulatory framework; and

WHEREAS the petroleum exploration sector needs the certainty and confidence of a stable regulatory regime; and

WHEREAS with that regulatory regime, oil discovery and industry development could provide unprecedented economic opportunity and bring people home to a currently economically-challenged area; and

WHEREAS the undersigned support properly regulated exploration and development of an oil and gas resource in the Province;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to introduce a regulatory framework immediately under which hydraulic fracturing could proceed safely and move this industry forward in Western Newfoundland.

Mr. Speaker, the people who signed this petition, one is from Cow Head, which is within Gros Morne National Park, all the others are from Parson's Pond, all known to me. This is an area that is economically depressed. From the northern boundary of Gros Morne National Park, the Green Point oil shale deposit extends northward forty kilometres to Bellburns, forty kilometres outside of Gros Morne National Park.

The people in this area, many of them go away to work. Many of the towns and communities have shrunk in size due to the lack of economic opportunity. The mine all played out in Daniel's Harbour. The small boat fishery is not doing well. When there was talk earlier on, approximately a year or so ago, about the opportunity for oil exploration, these people were quite excited. They were moved. They thought that this was a good chance for us to get ahead, for us to have some economic development.

For the family members we have sent to Alberta, we have sent to Turner Valley, we have sent to Drayton Valley, we have sent to Fort McMurray, we have sent our people westward where they are doing hydraulic fracturing under perfectly

acceptable conditions. They were quite disappointed when the government said – first of all, defeated my private member’s resolution – our regulations were fine. When, in fact, they likely were not because they were too antiquated. They refused to take the lead and now say we are going to have a moratorium on something that has not even started.

Mr. Speaker, how can you have a moratorium on something that you did not start yet? They are pleading with government to move forward, put in place the regulatory framework, and let’s get moving forward and see what can be done on an environmentally reasonable way to support economic development.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS government has a responsibility to ensure that Internet access is broadly available so people have a right to be able to access the Internet in order to exercise and enjoy their rights to freedom of expression and opinion, and other fundamental human rights; and

WHEREAS Great Brehat still remains without broadband services; and

WHEREAS residents rely on Internet services for education, business, communication, and social activity; and

WHEREAS wireless and wired technologies exist to provide broadband service to rural communities to replace slower dialup service;

We the undersigned petition the House of Assembly to urge the government to assist

providers to ensure Great Brehat is in receipt of broadband Internet services in Newfoundland and Labrador.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I have to say, I am quite pleased to see the Department of Innovation, Business and Rural Development has issued their call for the Rural Broadband Initiative through a news release today. There was over \$6 million earmarked in funds for this particular program.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MITCHELMORE:** It would be a great opportunity to capitalize on underserved areas using a combination of wired, wireless, and cellular technologies to ensure that coverage in advanced telecommunications reach rural communities so that we can take advantage of the opportunities that exist and that we can provide a fair and level playing field when it comes to education, business and commerce opportunities.

The residents of Great Brehat are asking for the same type of opportunity: to have access to high-speed Internet, as other communities in Newfoundland and Labrador. It makes perfect sense to do so.

I have to say, I had a great meeting with the department officials at IBRD and discussion around underserved communities in my particular district. I will continue to raise ideas and opportunities, work with the providers, and work with the federal and provincial government to try to find good, common-sense solutions to provide broadband Internet.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Orders of the Day.

### Orders of the Day

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

Order 2, third reading of a bill, I move, seconded by the Minister of Service Newfoundland and Labrador, that Bill 21, An Act To Amend The Insurance Adjusters, Agents And Brokers Act, be now read a third time.

**MR. SPEAKER:** It is moved and seconded that the said bill be now read a third time.

Is it the pleasure of the House that Bill 21 be read a third time?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, 'nay'.

Motion carried.

**CLERK:** A bill, An Act To Amend The Insurance Adjusters, Agents And Brokers Act. (Bill 21)

**MR. SPEAKER:** This bill is now read a third time and it is ordered that the bill do pass and its title be as on the Order Paper

On motion, a bill, "An Act To Amend The Insurance Adjusters, Agents And Brokers Act", read a third time, ordered passed and its title be as on the Order Paper. (Bill 21)

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

Motion 1, I move, seconded by the Minister of Education, to ask leave to introduce a bill entitled, An Act To Amend The Schools Act, 1997, Bill 28, and that the said bill be now read the first.

**MR. SPEAKER:** It is moved and seconded that the hon. the Minister of Education shall have leave to introduce a bill, An Act To Amend The Schools Act, 1997, Bill 28, and that the said bill be now read the first time.

Is it the pleasure of the House that the minister shall have leave to introduce Bill 28, and that the said bill be now read a first time?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those in favour, 'aye'.

Motion carried.

Motion, the hon. the Minister of Education to introduce a bill, "An Act To Amend The Schools Act, 1997", carried. (Bill 28)

**CLERK:** A bill, An Act To Amend The Schools Act, 1997. (Bill 28)

**MR. SPEAKER:** This bill has now been read the first time.

When shall the bill be read a second time?

**MR. KING:** On tomorrow.

**MR. SPEAKER:** On tomorrow

On motion, Bill 28 read a first time, ordered read a second time on tomorrow.

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

I call from the Order Paper, Order 4, second reading of a bill, An Act To Amend The Labour Standards Act, Bill 17.

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Sorry, Mr. Speaker.

I move, seconded by the Minister of Environment and Conservation, the said bill be now read the second time.

**MR. SPEAKER:** It is moved and seconded that Bill 17, An Act To Amend The Labour Standards Act, be now read a second time.

Motion, second reading of a bill, “An Act To Amend The Labour Standards Act”. (Bill 17)

**MR. SPEAKER:** The hon. the Minister of Justice.

**MR. KING:** Thank you, Mr. Speaker.

I am very pleased to take some time this evening to introduce this bill, Bill 17, which is going to bring forward amendments to the Labour Standards Act. This bill, by way of summary, will provide unpaid leave to parents in the Province by way of a modification to our Labour Standards Act, Bill 17. It is focused on two particular areas, and I want to read into the record exactly what it says in the bill here before I provide some commentary.

The act will be amended, first of all, to “establish a category of leave without pay for employees whose child has disappeared or died as a result of a crime....” That is leave without pay for an employee whose child has disappeared or died as a result of a crime.

The second provision, Mr. Speaker, is to “establish a category of leave without pay for employees whose child is critically ill.” There are two components to this: There is the critically ill child, and we will talk a little about that in a few moments, the criteria around that, and the process; and there is the second provision where we are talking about a child who has disappeared or died as the result of a crime.

Mr. Speaker, I am certainly very pleased to bring this forward. It is an extension of a federal piece of legislation that was brought forward in the House of Commons some time back. A number of provinces, along with Newfoundland and Labrador, are moving forward.

Perhaps more importantly I want to remind people it furthers our commitment we have made, particularly in Blue Book 2011 where we

are focused on policies that promote a family friendly Newfoundland and Labrador and that support parents and families in Newfoundland and Labrador. This bill certainly, I believe, provides a couple of pieces of further support and protection.

Just to touch very quickly, Mr. Speaker, for the critically ill child care leave, what is being provided here is up to thirty-seven weeks of leave for parents. For the second category, where we are talking about crime-related death or disappearance of a child, there is a provision for up to fifty-two weeks of leave for the parent. It is up to fifty-two weeks. For a child who disappears as a result of a probable Criminal Code offence, there is up to 104 weeks. There is a combination of a disappearance of a child of fifty-two weeks leave provision and if there is a disappearance where there may be a Criminal Code offence, then it is up to 104 weeks.

This particular modification to the legislation, just to be very clear for everyone, kind of dovetails in with the federal legislation. We are now in Newfoundland and Labrador going to enshrine in law that someone cannot be discriminated against, or asked to quit their job, or be fired because of the instances that I have talked about here.

The federal legislation is the piece where compensation can be provided through the EI program to support these parents who are on leave. This is very much a complementary bill, if you will, to that provided by the federal government.

As I said once this is passed today, Bill 17, it will become forever a permanent fixture in the Labour Standards Act. The effect for those who are tuning into this debate, it becomes law of the land. It makes it illegal for any employer to discriminate against an employee or to not follow what is being brought forward here today.

A couple of common elements for the proposed leave I want to just highlight for everyone here today. First of all, in order to qualify for the leave, the employee must be a parent within the

broad and inclusive definition. There is a definition provided here within this bill of a parent. Most of us would typically see a parent as being one who either (a) owns a child; (b) is in the direct care of a child; (c) has adopted a child or has a stepchild. I think the definition of parents for these purposes is probably very standard across a number of pieces of legislation within government.

The other condition in order to qualify for this is an individual would have to be under employment with the same employer for a period of thirty days. There is a qualifying period of thirty days in order to avail of this.

In order to access the leave the employee will be obligated to provide written notice to the employer seeking to avail of this benefit. In the case of the sick child or missing child – a sick child in particular, some documentation from a medical doctor, whether that would be a specialist or a family practitioner, whichever the cast might be. Some supporting documentation would need to be provided.

The thing about this particular piece of legislation as well, Mr. Speaker, in the instances where there is any disagreement or any challenge, if you will, to an employer's decision on how this ought to apply to a particular employee, those will be directed right through to the Director of Labour Standards within my department, the Labour Relations Agency.

There will be some official oversight and an opportunity, if someone feels that they are not being treated fairly as a result of this legislation, to have the decision appealed and have a second look at it.

The definition of a child with respect to this bill, again, similar to other pieces of legislation, would be a person under the age of eighteen. A child would be defined as a person under the age of eighteen.

Just a couple of quick notes; to be eligible, as I said a few moments ago, an employee must provide the employer with a physician certificate as soon as possible, which would indicate that

their child is critically ill as set out in a period during which the child requires the care or support.

It is not an open-ended case where someone can go in and simply say I wanted to avail of the full number of weeks available to me here. It has to be based on the advice of the physician. If a physician confirms that the child is critically ill, the physician would also give some indication of how much time is reasonably required – I think the key term would be reasonable here – for the parent to provide care and, therefore, be off work.

Through all of the points that we are talking about here today in this legislation, I guess the point that I want to make on this is it is another step that our government is taking to try to support families in the Province of Newfoundland and Labrador. We have been doing that now – I spoke to this on Thursday for eight or ten minutes or so when we were into another bill, that in spite of the challenges that government has gone through we have always maintained a focus on supporting families.

There are any number of initiatives, through Poverty Reduction Strategy, that we brought in that supports families and certainly very indicative of our commitment. In Blue Book 2011, we made the further commitment that part of next four-year mandate would be to continue supporting families by bringing in family-friendly policies and legislation that is friendly to families and supports families.

In my view, this one clearly provides some security to those who are in employment situations where they may otherwise have to quit their job or be forced out of their job by an employer, due to no particular fault of their own. In this particular case we are talking specifically to, as I said, critically ill children or children who have been abducted or missing, particularly as a result of a criminal offence.

It is a good policy. I heard a couple of members heckling there a few moments ago. I am hoping that is all good and that they are going to stand and support us, because I believe the families in

Newfoundland and Labrador and the hard-working parents in Newfoundland and Labrador deserve our support on bringing this legislation forward.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER (Verge):** Order, please!

The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Thank you, Mr. Speaker.

I am certainly happy to stand and speak to Bill 17, An Act to Amend the Labour Standards Act. I appreciate the time that was given to us by departmental staff. We did have a briefing on this last week I think it was, or maybe the week before, and went over this, which again is a well-intentioned bill and certainly I think it is a necessary bill. I would be happy to stand and support it.

The reason that I found it a bit amusing is when the minister stood up and talked about Blue Book commitments. When he stood up and said this was one of our commitments that we made, with no sense of irony – I guess it was funny because I thought about other commitments that have been made, such as whistle-blower legislation or family caregivers or a hospital. It was just funny that I heard this.

**AN HON. MEMBER:** Relevance.

**MR. A. PARSONS:** I hear somebody talking about relevance. You talk about family friendly, but I would imagine there are a few things here that related to being family friendly. Again, I invite you to stand up and put your thoughts on the record at any point during this wonderful debate.

I will go back – sorry, again, they are not Blue Book commitments; they are platforms, I guess, or promises. I get confused. There was a previous minister who talked about the differences between promises and platforms. So, I guess it all depends.

When you talk about this piece of legislation, it fits into the theme of this session of the House of Assembly, which has certainly been very well scripted and thought out. Each week there has been a press release and it talks about what are the themes for this week – and I have one here on my Blackberry for this week, where we talked about this week is all about the safety of children when it comes to the well-being of families.

On Thursday I talked about bike helmet legislation for children. Again, that was about out of line to ask for something like that, no need of that; but this week it is all well scripted when we talk about the safety of children and families. One week it was health and communities. One week it was justice.

It all lines up very nicely. The fact is, I would say, 95 per cent of the legislation put forward here is housekeeping, well-intentioned stuff, hard to disagree with any of it. A lot of it is motherhood; it is good stuff. It is hard to disagree with it. Again, it comes down to the ultimate goal here of this session, which was the revitalization or rejuvenation of a party that has taken some tough beats.

They had a bit of good news today when they talked about this mid-year financial update –

**MR. SPEAKER:** Order, please!

I ask the member to restrain his comments to the text of the bill that we are discussing.

**MR. A. PARSONS:** Yes.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile, to continue.

**SOME HON. MEMBERS:** Hear, hear!

**MR. A. PARSONS:** I am very happy to stand and speak to the Labour Standards Act. I appreciate the attention of the members opposite. I am glad to see that they are listening, and I will continue to speak about the Labour Standards Act and all the other good things this



government likes to talk about and promise, but sometimes are a little short on delivery.

Anyway, this legislation is very simple. I think the minister did a very good job of laying it out. We are amending the Labour Standards Act to establish categories of leave without pay for employees whose children have disappeared or died as a result of crime or whose children are critically ill. It links up very nicely with federal legislation. This was something done in conjunction looking at the federal departments and when you talk about employment insurance. That was the gist of what we got from the department when we did our briefing.

So we have added two categories of unpaid leave for parents. When you talk about these two specific situations, they are obviously very traumatic and horrible situations for anybody to go through, any parent to go through. If we can take the burden off them by creating legislation that is going to protect them, then certainly I am all for it.

We are following the leads of other provinces here. I asked this question in the briefing. Manitoba, Saskatchewan, Nova Scotia, and the Yukon have done this. Again, we have seen it elsewhere.

I have just a couple points as you go through the legislation. I appreciate the fact that the staff were able to answer a lot of the questions that were asked in the briefing. One of the questions that were raised was about full- and part-time applies equally.

Now, one of the questions I have – and I have talked about this in previous legislation when we talk about the age - in this case when we talk about a child, a child means a person under eighteen years of age; however, there is not a lot of consistency when we talk about the age of majority used in other pieces of legislation. So there is a difference there, the age of majority being nineteen. We have a child meaning eighteen years here.

We know that – and I had a conversation with the Member for St. John's South – in a lot of

family situations once a child hits the age of sixteen it is hard for many agencies, such as CYFS or other departments, to have any ability to control or restrain what they do. Once they hit sixteen in many ways they are emancipated.

So there is a bit of a consistency issue here that I am going to raise and I will put it to the minister in Committee as well, the fact that, depending on the legislation, the age differs. This is not going to the goal of the legislation. The goal of the legislation is very honourable and we are supportive of it on this side; however, when we talk about a lack of consistency in the terminology we have to make sure the same terms apply across the board.

When we talk about this it ties right in with a federal taxable grant. There is a matching up of eligibility between provincial and federal programs. One of the questions I did have, we talk about the entitlement to leave. The entitlement says you have to have your thirty days with the employer, which makes sense, and depending on whether it is clause 1 or 2 it can go up to 104 weeks or up to fifty-two weeks, so either one or two years. Depending on if "...it is probable, considering the circumstances, that the child has died..." it is two years you can get up to. If it is probable that the child has disappeared, it is up to one year.

Now I am not sure of the logic behind that. I am pretty sure it matches up with the federal legislation, which is the reasoning. There is an adjudication process. I like the terminology in 43.24(3) which says: shall limit the duration to that which is reasonably necessary. I think that allows a wide range of latitude when it comes to discussing this, because like any situation you have to be objective here. It is a difficult subject to talk about. It is a difficult subject to broach, especially in the employer-employee context.

One of the things I noticed, and I did ask questions about, is under the notice provisions of section 43.25 it says "An employee who intends to take a leave of absence under this Part shall give written notice to his or her employer at least 2 weeks before the leave of absence is to begin of that intention, unless there is a valid reason

why that notice cannot be given.” Again, in writing – in theory it makes sense, but then you look at the fact that if you are going through one of the situations which this legislation is supposed to cover, it is going to be kind of hard to give notice that you need to use this provision.

If you think about it, we are talking about children who have disappeared or died as a result of crime. We are talking about critical illness. Critical illness is one thing, I mean critical illness, the timelines can differ, but when you talk about if you go through a traumatic situation that your child has disappeared or has died as a result of crime, a two-week notice period is not going to be applicable.

Now, I do like that there is discretion here. It says, “...unless there is a valid reason why that notice cannot be given.” I would just hope, and I would say to the employers out there – because it is the employers who make this decision. I would hope that the employers will not cause any difficulty around the usage of this discretion right here.

When you hear about it, it sounds pretty obvious that we are going to allow this. Can you imagine the parent or caregiver who is going through this traumatic, horrible situation who has to write a letter and ask that this be taken care of? I understand why it is there. I understand why the discretion is necessary. I am just putting it on the record as to possible concerns.

Subsection (2) says, “An employee who gives notice...shall include in that written notice...the length of the leave of absence that the employee intends to take.” Well meaning, but somewhat impossible depending on the circumstances. You are not going to know how long a break you need to take. You are going to figure that out over time. I do hope employers will be cognizant of this and work with parents who are going through these trying and difficult times.

A lot of my questions that I had going into this briefing were answered when you just read it. What is the definition of critically ill child? It is

very simple. It is what our Employment Insurance, the EI Act of Canada says, so boom, it is answered right there. I do not think I have had any concerns expressed to me over that definition therefore that should be fine.

When you look through the rest of the legislation here we talk about the critically ill children. “...entitled to a leave of absence from employment without pay of up to 37 weeks...” I think it ties in with other legislation. We are not changing how things are done. We are just changing our legislation to match what is being done. I think you do need a physician’s certificate, and they have wide latitude. We do not need specialists per se. What is the definition of physician?

I have some other quick notes here, Mr. Speaker. It is a good piece of legislation. I have talked about my concerns with the notice period. It is the same as done in compassionate care leave. I am just hoping people do not have to go through the trouble of hoping that during this difficult time that they have a difficult employer try to make their situation more difficult. I know why it is there. I am just putting my concern on the record.

We talk about the physician certificate. It does not need to be from a specialist. That is good because we all know the trouble sometimes getting a hold of specialists. If we have to deal with getting a specialist note, this is never going to work. It will never, ever work, not in this Province. We see it elsewhere.

I am glad to see it can be your general practitioner, a family doctor, or an emergency room doctor, depending. It has to be a physician, ideas to make this program as accessible as possible for parents of sick children. The specialist part might work well in the Avalon region but it does not work so well out in the rest of rural Newfoundland and Labrador.

One thing I do like is it does not state that the child needs to be located in the parent’s home. Regardless of where the child is the parent can still get the leave for the purpose of caring for

the child. Any parent who has gone through a period of time caring for a child who is sick knows the difficulties and the stress that comes with it, especially when it requires travel. You have to leave your home. You have to be out of your home, out of your community. You have so many worries, primarily your child, and then to have this other concern. If we can alleviate that then I think it is step in the right direction.

Mr. Speaker, what I would say in closing is that I am very happy to stand and speak to this bill. It fits in with the government's mandate, which is popular legislation at this time. I am fine to stand for that because it is the right thing. I am just hoping that when we deal with pieces of legislation that come from Blue Book promises that we move to other Blue Book promises so we can deal with those as they are also important as well.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for Port de Grave.

**MR. LITTLEJOHN:** Thank you, Mr. Speaker.

It is a pleasure to stand today and speak to An Act To Amend The Labour Standards Act, Bill 17.

Mr. Speaker, as a parent of two small boys, I cannot imagine what it would be like to have a child critically ill. I have had some experience of knowing of families in our district where that was just the case. This legislation will, I believe, ease some of the burden and some of the stress and some of the strain that these individuals must have to go through in those types of situations.

This bill provides for new unpaid leaves under the Labour Standards Act for working parents in Newfoundland and Labrador. It is legislation, as my hon. colleague opposite just said, that piggybacks off federal legislation which allows parents of critically ill children to access Employment Insurance for X number of weeks. In the case of a critically ill child it would be thirty-seven weeks.

This bill also speaks to the unfortunate death as a result of crime. Mr. Speaker, there are a couple of different things here. It talks about a crime related death or disappearance. If a child disappears, it could provide fifty-two weeks of leave for the parent. If the child disappears as a result of a probable Criminal Code offence it could be up to 104 weeks or, roughly translated, two years.

Mr. Speaker, this was driven home to me. I was really glad when I had the opportunity and the Minister of Justice asked me to speak to this, because last night I had attended the annual tree lightening for the Children's Wish Foundation in my district. There last night were two critically ill children, hoping their wish was going to come true.

I can only imagine the stress and the strain that has been going on in these parents throughout this ordeal. Knowing, number one, that your child is critically ill must be devastating. I have watched parents go through that, Mr. Speaker, and it takes tolls on the relationship. Not only on the relationship of husband and wife, but also within the family and what service you provide and what happens.

So, this piece legislation, although piggybacking on federal legislation, will ease some of those burdens. I think that is something that we really need to support. I think this is a good piece of legislation and based on the comments from across the way, I believe that my hon. colleague also believes that it is a good piece of legislation. Other provinces have similar legislation and, again, I think that this legislation speaks to the reasonableness.

I listened with some intent – and there is always a concern, Mr. Speaker, because when you have to go to an employer and you have to say to the employer, look, my child is critically ill, or my child has gone missing, we assume that the employer will be compassionate and giving and right off the bat say, take whatever time you need.

Knowing the fact, Mr. Speaker, because of this legislation that this individual now in this

situation, this parent, will have their job protected and can go back to their job, that makes it that much easier. Though it is not a very good situation, Mr. Speaker, they know once their time has passed – and that is not a good word, but once they get through their trials and tribulations, probably, they can have a job to go back to. They do not have to worry about finding new employment.

That, Mr. Speaker, is a great relief. That must be a great relief. We assume that 90 per cent, 95 per cent, 99 per cent of employers in our Province of Newfoundland and Labrador are going to allow and going to be compassionate and understand that these parents need to be away from their work during this critical time with their children.

So, Mr. Speaker, we have to have faith in our employers that they are going to do this. I think section 43.25 outlines that, and the fact that you do not lose your job must be a great relief. In the cases that I know about personally, where their children were critically ill, I am sure during that time if the parents could have accessed the EI program and got unpaid leave and taken time away, it would have made the job of caring for their children that much easier.

I think that is what this is all about. It is trying to make it as easy as possible for the parents. This is a very stressful time, a very agonizing time, Mr. Speaker. Knowing that your child is critically ill must be devastating. I can only imagine if I went home tonight and my wife looked at me and said that one of our children was critically ill. I really do not know how I would react. I do not know what I would say. I do not know what I would do, but this legislation coming forward today allows me the opportunity to deal with that grief, deal with that emotion, and deal with that stress.

I am proud to stand here today and support this piece of legislation. I believe it is good legislation and it allows parents that opportunity to deal with that situation.

Mr. Speaker, I just want to speak to a couple of things away from the critically ill child. I cannot

imagine losing your child due to crime. I cannot imagine being put in a situation where someone would do that type of activity, Mr. Speaker. This allows for a year or two years, depending on the type of offense or depending on the type of case, that parents and guardians can take the time to grieve, can take the time to deal with the situation, and can take the time to get medical help if they need it.

So, Mr. Speaker, in short, this legislation I can support. I think it is a good piece of legislation. I think, as it was stated by the minister earlier, it is a part of our commitment in our Blue Book and I would say we are living up to our commitments in our Blue Book to the best of our abilities.

Once again, Mr. Speaker, I thank you for the opportunity and I will be supporting this bill.

Thank you very much.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

The hon. the Leader of the Third Party.

**MS MICHAEL:** Thank you very much, Mr. Speaker.

I am happy to speak to this bill. As has been said by my colleagues in the House, including the minister in his presentation, it is a bill that is absolutely essential, I think, to bring into this House, just from a moral and ethical perspective; but it is also a bill that is required because of some federal legislation that we have as well. I am delighted that we have this bill before us today. I will say right upfront that I will be supporting the bill.

Beginning last year in 2012, we saw governments right across the country, throughout the country, changing their labour codes to provide job security for parents who have had to take time off from work because of what this bill talks about, very unfortunate and awful situations, parents whose child has disappeared, parents whose child has died

criminally, or parents whose child is critically ill. In the definition, of course, it is an under eighteen child that we are talking about here, children that parents would be responsible for.

The governments around the country, the provincial and territorial governments, started bringing in these changes to the Labour Standards Act because of the federal government legislation. In the federal government you have both paid and unpaid leave allowed because the federal government allows the paid leave under the Employment Insurance Act. Of course, that is a federal jurisdiction act. We do not, on a provincial level, have anything to do with the setting of that legislation. So, we do not have to bring in anything that relates to paid leave; we just have to bring in legislation that relates to unpaid leave. That is what we are doing here.

The federal legislation was introduced in 2012 to amend the labour code. As I said, there many provincial and territorial governments that followed in 2012, and we now doing it here in this Province.

It is interesting to point out that the federal government did this assuming that provinces would follow suite with regard to the unpaid leave piece that we are dealing with, that we would make sure that there unpaid leave protection laws for people because that was under our jurisdiction. It was pointed out by the officials that there was no consultation with provinces.

I find it very interesting, Mr. Speaker, because sometimes we stand in this House and ask what consultation this government has done on a provincial level. So, they must sometimes be following the lead of their cousins in Ottawa, I have to say.

To go on with the bill, which I certainly intend to do, I am not going to go into details of all parts of the bill; but there are a couple of parts I would like raise, either to raise in a positive way, just pointing out it is something positive that is in the bill or to raise a question, because I do have a question or two.

As has been pointed out, Mr. Speaker, the bill is divided into the section that has to do with parents whose children have either criminally disappeared or have been killed in a criminal act by somebody, or children who are critically ill. The bill is divided into those two sections. So you see when you read the bill some repetition in the bill.

The repetition has to do with the fact that some of the things that are written in the legislation that relate to the details, the details are the same whether you are talking about the parents of children who have disappeared or died because of a criminal act or they are parents of children who are critically ill. There is no need to go through those details because for anybody who is interested in the bill, of course, they have heard the minister speak to it, they have heard others in the House speak to it, and they can also go into the House of Assembly and look at the bill themselves as well.

I would like to go into one of the sections, and that is section 43.24 where the bill talks about entitlement, the entitlement of the parents. What it is they are entitled to. There is one thing I would like to point out that I am really glad to see in our bill. That is the fact that the bill applies to parents who have been employed for thirty days, either continuously full-time or continuously part-time.

The reason I am saying I am really glad to see that is because there are some of the other jurisdictions, both provincially and territorially, that do not have that same length of time. Some of them actually say you have to be six months in the job to qualify. I think there was one that might even say a year. Yes, there was one Territory, Yukon actually, because their statute requires a year in the job. There was an attempt by the Opposition in the Yukon to propose an amendment to make it six months, but that was defeated.

I am glad that we understand how serious a situation this is for parents. No parent can plan for a child disappearing or a child being murdered. No parent can plan for a child all of a sudden being diagnosed with a serious illness

that is going to, in some cases, lead to death. One would hope that would not always be the case but they cannot plan for that. If they go into a new job in which they have worked continuously for a month, it seems to me it is right we recognize that and we do join the province that has the same eligibility criterion, and that is Manitoba.

I understand from the officials from the Department of Justice – and I do thank them for the briefing we had – that our legislation is modelled more or less on that of Manitoba, and Manitoba also has the one month. I am really, really glad that we followed the same thing. As I said, no parent can plan for it. Whether they are working for a month or working for six months, they are in the same terrible situation because of the death, the murder, the disappearance of a child, or the illness of a child. I think it shows a compassionate approach and a fair approach that we have. Thirty days is the requirement for them to be in the workplace.

The one thing that I do want to question, and maybe the minister can speak to this either in second reading when he sums up or when we get to Committee, has to do with subsection (3) under 43.24. It says the employee “...shall limit the duration of that leave...to that which is reasonably necessary...” What is being pointed out in that section is even though the employee has the right to ask for the unpaid leave, and even though the employee has the right to negotiate the unpaid leave – and I will point out where it says that.

In 43.24(1) it says the employee who has been employed for 30 days can apply for “...up to 104 weeks if the employee is the parent of a child who has died and it is probable, considering the circumstances, that the child died as a result of a crime.” They are entitled to a leave of up to 104 weeks.

Then subsection (2) says, in the case of a child who has disappeared the employee is entitled to a leave of up to fifty-two weeks. Then we have subsection (3) which says, “Notwithstanding subsections (1) and (2), an employee who takes a leave of absence in accordance with this Part

shall limit the duration of that leave of absence to that which is reasonably necessary in the circumstances.”

I do not think that section is actually needed, Mr. Speaker, because in determining how much time the employee is going to get, there will be an adjudication process –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MS MICHAEL:** – and that adjudication process will be the time at which negotiation happens and it is determined how much time the parent may need.

To put in a subsection (3) which says, and I will read the whole section, “Notwithstanding subsections (1) and (2), an employee who takes a leave of absence in accordance with this Part shall limit the duration of that leave of absence to that which is reasonably necessary in the circumstances.” I really do not like the tone of that section. It almost has a punitive sound to it.

I think we would have to believe that if the workplace says these parents, or the parent or parents have the right – under this, are eligible – under the legislation for this leave, then I think there has to be a belief that no parent who is going through these awful circumstances would be out trying to get more time than they need for the sake of getting more time. I just find subsection (3) unnecessary.

I would like to note it is not in Manitoba’s legislation, the legislation on which our piece of legislation is modelled, and if it is not in the Manitoba legislation, in our Department of Justice, what was the discussion that led to putting it into our legislation? That is one question that I am asking the minister. What is the reasoning? What is behind putting that into our piece of legislation? I just think it is an unnecessary piece of legislation.

We have to assume during the adjudication process that people are working under stress, people are working in a terrible grief-laden

situation, and there should be a total openness in the discussion with them. It seems to me that subsection (3) almost limits, and sort of does, the compassionate tone earlier on when we say that an employee who has only worked thirty days continuously in a place is eligible. It does not seem to fit with the rest of the tone of our legislation.

I would like the minister to consider removing that subsection (3), but I am open to hearing the rationale for its being there. If I hear the rationale and it makes sense then maybe I can say, okay, I can understand why it is there.

There is one other thing that I would like to bring up and that has to do with section 43.26. It was a question that I had when I read the bill, but I think it is important to make reference to it.

In section 43.26, both subsection (2) and subsection (3) are very good. Subsection (2) says, "Where an employee is dismissed by his or her employer contrary..." – well, I would have to read subsection (1), too. Subsection "(1) An employer shall not dismiss an employee or give notice of dismissal to an employee because an employee intends to take, applies for or takes a leave of absence under this Part."

Then it goes on; "(2) Where an employee is dismissed by his or her employer contrary to subsection (1), the onus of proving that the reason for dismissal is unrelated to the crime-related child death or disappearance leave rests with the employer."

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MS MICHAEL:** Then subsection "(3) An employer shall reinstate an employee at the end of his or her leave of absence under this Part on terms and conditions that are not less beneficial than those that subsisted before the leave of absence began."

I wanted to read all three of those because my question, when I read this, was: What happens if an employer does not abide by these three

subsections? It was a very valid question. Well, what we have been told by the department and I think it is important for people who are following this discussion this afternoon to know is that all of this legislation is part of our larger Labour Standards Act. Under the Labour Standards Act, we do have a whole section that deals with employers not following a rule or a regulation, or a piece of the legislation that deals with labour standards. There is an appeal process.

This piece of legislation that we are dealing with does not bother to talk about appeal because anything that might happen under those three sections that I just read can be appealed under the broader piece of legislation. I think that is really important for everybody to know and especially for workers to know because if a worker ever got to a point where they had to apply under this piece of legislation, I think it is important for them to understand that they are totally protected by the fuller labour standards legislation with regard to appealing employers not being compliant with something that is in the legislation. I was really glad when that was explained to me because I think that was an important piece.

I think the points I was concerned about were covered when I asked questions, but the one thing I am asking the minister to respond to, and I am sure he will, is the piece that I referred to with regard to section 43.24 and subsection (3) under that. Why is that necessary? Why is that clause in there? I really think we can do without it.

Having said that, Mr. Speaker, I think I have covered everything that I am concerned about. The one other I would like to mention, though, having said that, has to do with subsection 43.25 and subsection 43.30. Both of these subsections repeat each other, but one has to do with one circumstance that a parent may be applying and the other has to do with the other circumstance, which is the illness. What it is, is that there is a subsection that says the employee has to give two weeks written notice to the employer of when you are leaving, unless there is a valid reason why it was not given.

I think it is important that there is an “unless” there because you could have an emergency situation where actions have to be taken quickly. I think there needs to be the provision for a shorter notice period than is being asked for. So having the provision of that, I think, is extremely important.

I think those are the main points I wanted to make, Mr. Speaker, and I thank the House for the time to do so.

**MR. SPEAKER:** Order, please!

The hon. the Member for Cape St. Francis.

**SOME HON. MEMBERS:** Hear, hear!

**MR. K. PARSONS:** Thank you very much, Mr. Speaker.

It is indeed a privilege to get up here today to speak about this bill. Again, this is another real good piece of legislation that I am sure, by listening to people on the other side over there, we are going to have lots of support in this House for.

I know the Member for Port de Grave mentioned about being a parent and how important it is when we find anyone in our family with any kind of illness, especially a child. I know as a parent myself the concern I have with my children with different sicknesses and illnesses and stuff like that, and you just want to put yourself always above your children. It is the way things are. As parents, we are concerned about what is happening to our children.

This piece of legislation today is very important because what it does is it supports families. In times of a child being critically ill, it is so important that the parent does not have the overburden of worrying about whether their job is safe or their job is not safe, because they have enough to worry about when they are worrying about the child.

Again, like I said, we are just supporting families. Critically ill children, Mr. Speaker, I know you watch the different shows from

Children’s Wish to radiothons and whatever – I do not know anybody who would not support or try to help out whenever there is a child who is critically ill. It is important that legislation be in place to give that family the support they need for when they are going through this unfortunate situation that they find themselves in.

Mr. Speaker, thirty-seven weeks off, I know it seems like a lot of time but when a child is ill, no time is enough time for that parent to be with them.

Mr. Speaker, in the little circumstance I had, my daughter was sick – she was only four years old at the time – and I used to go down to the Janeway and stay with her. She used to reach out in the nighttime to make sure that I was still there. Just the reassuring fact to know that they know that their parent is there, especially for people who have to come from out of town and they have a job – it is not like you can go to the Janeway every night. To be able to have the support that you know you can go back to your job, that is something less that you do not have to worry about.

It is important that parents be where they should be; it is with the child who is critically ill. That child is going through a lot also, Mr. Speaker. Illness to a child, it is hard to figure out why this happening to me is or what is happening. They need the support of parents. They need the support of all of the family members. I am sure that by knowing that mom or dad can be there with them, it means so much to that child, and it probably means so much to the child that the recovery of the child would mean a lot, too. Just not having the concern that you are there by yourself, is mom coming this weekend – I know most parents, if they could, they would give up their jobs anyway.

This is something we are really doing. I know all members on the other side said that this is part of the same program that the federal has, so it is important that we do these kinds of things because it will ensure the family that they will get our support. It is very important to both family members, but it is very important to the



child. It is very important that they know that they have people there.

Granted, we have the best doctors and nurses and people in our health care system that are around anywhere to take care of them, but there is nothing more important than having a family member, especially your mom or your dad, when you are a little child, to be there with you when you have to go through these circumstances. Our hearts go out to any parent who has to go through it.

I always believe a parent should never have to do anything when it comes to a critical child, the death of a child, or anything else. My mother always used to say you should never have to bury your own. That is the type of support that this government is doing.

I really believe in this piece of legislation, as do all members. We listened to the Member for Burgeo – La Poile. He stood up and did a little political thing, but I am sure he supports this piece of legislation just like the rest of us do.

Also, Mr. Speaker, when you look at the second part, it is related to the death or disappearance of a child due to crime. I have never been through it but I can only imagine what a parent must be doing when a child has disappeared, the worry that must be on that family at that particular time, and to know that your child is out there, or you just do not know where she or he is and the concern that you have and to have an added worry about your job or anything else. I think this is a very important piece of legislation that we ensure it is one less worry that they do not have. It is very important.

The length of time, I know it sounds like a lot but fifty-two weeks or 104 weeks, it really does not make any difference, Mr. Speaker. It is a concern that parent has and it is the support that governments have to give people who find themselves in this situation. It is so unfortunate if anyone has to deal with it. I do not know; I would not know what it was like. I would not want to put myself in that position to have to know that someone in my family either disappeared or was part of a criminal act that

caused the death of a child or whatever. I think it is a very important piece of legislation that we are bringing in here today.

Mr. Speaker, there are a couple of little things I am just going to touch on, as I know the minister did and some of the hon. members across the way. It is not something that you have to be in a job for ten years or whatever; you just have to be there for thirty days. If you are employed for thirty days then you can avail of this. It is something that you can take on and be able to get the leave.

That is important also, because some people just got into a job or whatever, and thirty days – I know it is not a long time but thirty days you are there. You have a steady job or whatever, and then the worry of trying to keep your job. I think this is a very important piece of legislation for the comfort that it is going to give to families.

I want to focus on one other part there, Mr. Speaker. I know the Member for Burgeo – La Poile mentioned this also. It is very important that sometimes when situations happen they do not just happen months in advance or whatever. Usually these situations happen so quickly. They can just come upon you. All of a sudden you find out that you have an ill child, or in the other case where the child died or has disappeared.

In the case of an illness, we have the doctors, and it does not have to be a specialist. We all can contact our family doctors in most cases. It is just a matter of calling up the office. Most of us who have children have taken the child back and forth to the office. We already know the name of the receptionist or the person in charge there. So it is only a matter of calling up and talking to the lady at the office, and they know us. Most of our family doctors know our families and we have had them for years. Usually if you have the same doctor, you always take it back and forth.

It is an important part of the legislation that it is only the family doctors, not necessarily the specialist. I agree with the hon. member,

sometimes it is difficult to get a hold of the specialist and get a letter from the specialist's office. In a time like this you do not need those hassles and everything else. It is a very, very good part of the legislation, Mr. Speaker.

The other thing, too, Mr. Speaker, it talks about a child itself, the definition of a child and who the family member is. It can be a parent. It could be the spouse or cohabiting partner of a parent of a child. It can be a person with whom the child is placed for the purpose of adoption. It can be a foster parent. Sometimes families are not your generally family-oriented people where it is a mother and father. It can be people who are caregivers. They care just as much as a parent does or anybody else does, so it is important that we make sure it pertains to everybody.

Mr. Speaker, the other thing I want to touch on before I sit down. The hon. Member for Signal Hill – Quidi Vidi mentioned: reasonably necessary under circumstances. I think that is a good part of the legislation, actually. Hopefully, if a child is critically ill and gets better, or something happens that changes around the situation, then maybe you will not need the full time or whatever.

In the case of somebody who disappears, hopefully the result will be that somebody gets found and you will not need the time that is allotted there. It is a good amount of time that is allotted there. I understand where she is coming from in the situation, but I think that is a good part of the legislation where sometimes things can change. If they do not change, then you can use the full amount of time. If they do change, then you can go back to work. I think that is the reason that is there.

Mr. Speaker, I just want to state that I think this is a great piece of legislation. I think it is important that we do this for families. It is important that we show the people who are most affected by any illness, disappearance, or death that we support them. Listen, this could happen to anybody. This could happen to everybody here in this House. It could happen to anybody working. Please God, it does not happen to

everybody; please God, it does not happen to anybody. When it does, it is nice for the parents of the child to know they have the support and know that they have enough to worry about at the time that at least they do not need to worry about losing their job and having another added worry on their plates.

I am sure all hon. members in this House will support this piece of legislation. I think it is a great piece of legislation. It is things that we have to do for families in this Province, and it is nice to be able to do it for our families.

Thank you very much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

The hon. the Member for Cartwright – L'Anse au Clair.

**MS DEMPSTER:** Thank you, Mr. Speaker.

I, too, am pleased to be able to get up and speak to Bill 17, An Act To Amend The Labour Standards Act. The bill would amend the Labour Standards Act to establish a category of leave without pay for employees whose child has disappeared or died as the result of a crime, and establish a category of leave without pay for employees whose child is critically ill.

Mr. Speaker, I want to say that I will be supporting the bill. While I think it is a step in the right direction definitely, I am going to be calling on government to amend this bill and to broaden it. I will speak to two different categories separately. The part that I believe needs to be broadened or extended is when I was reading the first sentence. The bill is amending the Labour Standards Act to “establish a category of leave without pay for employees whose child has disappeared or died as a result of crime”.

Mr. Speaker, when I read that I thought they are completely differentiating between the pain of losing a child, whether you are losing a child through crime or whether you are losing them

through any other number of ways that you can lose a child; whether it is in a drowning accident, whether it is in a plane crash, whether it is an accident on the highway. Mr. Speaker, when you lose a child it changes your life forever. It is very life changing, and the absolute last thing on your mind during the first weeks and months is your job protection.

I believe that parents who have gone down the road are able to speak to this with a greater understanding. Mr. Speaker, I am standing here as someone who can speak about the loss of a child through an accident. Also, in my immediate family we had the experience of crime, so I am not lessening that. I know how going through both of it is very different. When you lose your child through a crime you are tied up in a justice system, you are awaiting dates to go to trial. You are meeting with police teams, and there are ongoing investigations. There is a warrant out for people's arrest. You are waiting for them to be brought home, and things are prolonged.

There were things that members of my family went through with child loss that I did not. Still, Mr. Speaker, I do not believe that anybody who have – and I know that I would have the support of all parents in the Province with this. When you lose a child, the pain is not measured by years or how you have lost them. So you cannot look at a parent and say because you lost your child at fifteen, your pain is not as great as the parent who lost their child when they were twenty-five because they had them for twenty-five years longer, or your hurt is less because your child died on the highway and it was not a murder in Fort McMurray. We need to seriously look at amending this act, Mr. Speaker.

Burton Winters: That tragedy played out publicly; and I know his parents. He never disappeared and he never died as a result of crime, but are we saying that their pain was less than someone whose child was shot or died in some other tragic way?

The 104 weeks if the employee is a parent of a child who has died – that is very, very important. Often, with different types of tragedies, the

families go through a lot of expense, and like I said earlier, they are not thinking about their job protection because their mind is not clear. It takes some time to get back even into a basic routine, so it is important to have that protection there for them.

I just want to say that grief is grief and death is death, and it is all permanent. So we cannot just say somebody who has lost a child as a result of crime, Mr. Speaker.

I also want to talk about the critical illness piece. I am really, really pleased to see that being covered off. When you live in Coastal Labrador and you are very, very far from services like the Janeway or the Health Sciences or wherever your child might need to be, there is the added burden on those families, Mr. Speaker, the added financial burden and strain.

I am thinking of a young boy right now going through cancer treatments at the Janeway whose family is from my district. The strain that has put on the immediate family, on his parents, on his siblings, his grandparents lives are in upheaval. It is an emotional strain, a physical strain, but also the financial is very, very huge.

Two years ago, I had a child myself; I spent thirty-two days at the Janeway, so I saw firsthand the upheaval that it causes in many people's lives. Some of us are very, very fortunate that when we have had circumstances like this happen, we have had very understanding employers who have said you take your time, whatever time you need. We know that not everybody has this same support in their place of employment and that is why it is very, very important to have pieces of legislation like this.

Mr. Speaker, I just want to say thank you for allowing me to speak to the bill.

**MR. SPEAKER:** The hon. the Member for Fortune Bay – Cape La Hune.

**SOME HON. MEMBERS:** Hear, hear!

**MS PERRY:** Thank you, Mr. Speaker.

It is certainly a pleasure for me to rise in this House today and show my support for this very important piece of legislation. You often hear complaints sometimes about what happens in the House, but today in this bill, in particular, it is an excellent example of just how important this Legislature is and how much value there is in the bills that are brought forward by government on behalf of the people of Newfoundland and Labrador to improve the lives of Newfoundlanders and Labradorians.

This is what the House of Assembly and our role as legislators is all about. I am very pleased today that everyone is taking time to have some meaningful discussion on a very serious debate about a bill that is going to have a positive impact on people who are going through devastating times.

Mr. Speaker, as has already been said by every speaker in the House here today, the loss of a child, there could be nothing worse, the sickness of a child, there could be nothing worse for a parent or a family member caring for that child. Anything that can be done to improve or lessen the anxiety that they have to endure is something that I am sure will be welcomed and supported by each and every legislator in the House of Assembly here today.

There is not a whole lot I can add to in terms of explanation of the bill because we have had some great explanation here. I am just going to elaborate on a few of these clauses that we have here in the act that are coming in. As was stated earlier today this bill speaks to two types of incidents: crime-related child death or disappearance leave as well as child illness leave. In the case of crime-related death or disappearance, Mr. Speaker, there will be an entitlement of up to two years basically, 104 weeks, of leave without pay for people to get through this most difficult and challenging time.

If the child has died it is two years and if the child has disappeared it is one year. This leave has to be applied for by the employee in writing and they have to give the employer at least two weeks of written notice. Mr. Speaker, in such instances I am sure most employers are very

willing to do what they can for the individual whose life has been utterly devastated.

Mr. Speaker, what this bill does is ensure the employee will be guaranteed a job to come back to. With everything else they have to worry about, the one worry they will not have is whether or not their job will be there when they are ready and able to come back to work.

When they come back, the other piece of this bill that is very, very important is that they will come back to a job of at least equal benefit to the position that they left. So, there will be no such thing as coming back to the employer and being put in a job that is of lesser pay or of lesser value than the job that they had previously. They will have at least what they left with or maybe even something better if there are new positions available, Mr. Speaker – but they in no way, shape, or form will be any worse off when they come back to their employer.

That is a very important issue, Mr. Speaker, for people who have to leave their place of work for long periods of time. In the case of a critically ill child, the leave is again for fifty-two weeks, and the stipulation will be that the employee has to make application to the employer and give two weeks' notice.

Mr. Speaker, as my hon. colleague for Cape St. Francis talked about when he got up and spoke – and I would like to define this again for the people, just so that there is a very clear understanding. Today, there are many people who love and care for a child, and a parent can be defined as the biological parent, the spouse or cohabitating partner of a parent of a child, a person with whom the child has been placed for the purpose of adoption, a foster parent of a child, or a person who has the care or custody of a child and is considered to be like a close relative, whether or not that person is related to the child by blood or adoption.

So that, Mr. Speaker, is a very, very important point because it allows the child's caregiver to be free and clear to ensure that they are available to care for the child in the event of an illness, and certainly in the loss of a child they are no

less impacted, having raised the child and loved the child as their own.

Just glancing through now, Mr. Speaker, and looking at the bill in terms of pieces that have not been elaborated on, but certainly, everyone has done a great job here in explaining this bill. It is not a complicated bill. It is a very straightforward bill, and it allows, like I said, families to have just that one less stress when they are facing perhaps the most devastating time of their entire lives.

So, like my colleagues here in this hon. House today, I will be very pleased to support this bill. I am very pleased that it has been brought forward, and it certainly speaks highly to our role as MHAs and as legislators and what we are all about in terms of being here to make lives better for Newfoundlanders and Labradorians.

Thank you very much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

The hon. the Member for St. John's East.

**MR. MURPHY:** Thank you, Mr. Speaker.

I rise again today to speak to Bill 17, An Act to Amend the Labour Standards Act. As much as anybody else who are caring Newfoundlanders and Labradorians, sometimes you have to deal with topics such as this in the House. Again, this is another one that comes forth that I think is very touching on a lot of Newfoundlanders and Labradorians out there.

Mr. Speaker, there are a couple of points that come across whenever somebody else speaks that have in some cases alarm bells ringing, in some cases not. One of the things I do realize, of course, is when government brings forth a piece of legislation like this they have done a little bit of homework here. At the same time as that, they also know the attitudes of Newfoundlanders and Labradorians, too.

The first thing I thought of when the minister was talking about this piece of legislation was that they had, of course, some concrete timelines in there. We all know with the majority of Newfoundlanders and Labradorians as employers, the attitude of some employers is whenever they find out they have an employee who runs into some trouble like this, the first thing you usually hear out of those employers is: Take all the time that you need. I think that probably rings true with a lot of employers out there and I think a lot of Newfoundlanders and Labradorians working under those particular employers as well understand that situation more or less rings true.

There are a lot of cases these days you can think of where children are missing for one reason or another and in some cases where we have lost some of them it is only a recent memory. The couple of things, Mr. Speaker, that came to mind in this particular case, were the length and duration of how long some people can be off. I just bring this forward as another element of discussion. I was thinking while some of the other speakers were up on their feet talking about it, that sometimes whenever we are talking about the time period that some people can be off, I was thinking to myself for some parents who have held their children sick for some time probably have dealt with this over a period of time.

I keep thinking about the necessity of the time periods having to be so concrete, as they are in this. I keep thinking, for example, for some parents losing a child can be very, very traumatic. The scale of their appointments, for example, with bereavement counsellors may take an awful long time. It might take an awful lot of time for some parents to get over the fact they have lost a child.

Medical treatments or appointments in some cases can be affected if you find a child, for example, who is particularly ill. Cancer treatments, for example, can go on for a short or a long period of time. I just keep wondering about if there are any delays, for example, in any appointments due to distance or any other of these factors is a reason why possibly that we

cannot be thinking a little bit more about the time frame for some of these time frames that we are dealing with when it comes to having parents off.

The eligibility criteria was something else, too, Mr. Speaker, that jumped out at me. I wrote down the question. Nova Scotia has a time period where you can be off for upwards of fifty-two weeks. I was just sitting down and thinking about that. You can go back at any particular time and have the time off scaled upwards again.

I kind of thought about that for a second; say, for example, if you were dealing with a sick child and the sick child relapsed in their condition a little bit longer or something, you would be able to go back and visit that fifty-two week time frame so you would be able to be off. I am just wondering, I question the government on that. The time period, is that a renewable time frame? Can we go back? I just question the whole sense of having a fixed time frame there, if we can leave that open there, if there would be any benefit for that?

Mr. Speaker, that was the other thing. The other thing I did have was about the complaints process. The question for the minister on this is that if an employer does dismiss you, officials said the employee can file a complaint with the Labour Standards Division. If this is denied they can appeal to the Labour Relations Board.

Mr. Speaker, my understanding is that I believe we are dealing with some delays now as regards to getting some complaints handled through those particular processes now.

**AN HON. MEMBER:** (Inaudible).

**MR. MURPHY:** Okay. So there is going to be a dedicated employee from the minister. That was about all that I had.

The other thing I did have with regard to the regulations, officials said the act has strong regulation power and that regulations can be made on number one: the terms and conditions concerning the availability and duration of

leave; the time frames which leave can be accessed; and early termination of the program.

Other provinces have the above that are spelled out in the legislation already. I am just wondering why we would be putting them into regulations. Like I said, you can probably lock them into the legislation at the same time so that everybody knows. I know that may depend on the variation of the cases at the same time and exactly what is happening with every individual case out there.

That is all I have to say, Mr. Speaker. We will be supporting this piece of legislation. Again, a couple of questions I guess and we will also leave that to Committee.

Thank you very much.

**MR. SPEAKER:** The hon. the Member for Lake Melville.

**SOME HON. MEMBERS:** Hear, hear!

**MR. RUSSELL:** Thank you, Mr. Speaker.

It is an honour and a privilege to get on my feet once again here in the House and speak to this bill to amend the Labour Standards Act. Sometimes you get engaged by people within your districts and they talk to you about how exciting it must be to be a legislator and to come in here to discuss legislation.

For the most part, Mr. Speaker, when we tend to look at bills that deal with housekeeping items that are basically dealing with the way the government make work, or it could be a money bill talking about a disbursement of funds in order to accomplish something. Sometimes, I will be very blunt and say, it is not always the most exciting place to be when you are standing on your feet here and you are talking about those housekeeping items and that piece of legislation.

It truly is an honour, Mr. Speaker, when you do get to rise in this House and you get to talk to something like we are doing here today where you can put aside all the political posturing and how you would try and get your point across to

government as Opposition, or the Third Party, or what have you, about a piece of legislation and to talk about your principles and your priorities as a party. When we talk about something like this, Mr. Speaker, you put all that to the wayside. You know that we are here today talking about something that is going to make a difference in the lives of some of the people of Newfoundland and Labrador who are affected either by critical illness or, God forbid, disappearance and the death of a child.

Having said that, those are the two main parts we are discussing here today. This act will make an amendment which will provide two new classes of unpaid job protected leave, Mr. Speaker. That deals one, as we said before, with a critically ill child. As a parent, as many of us are here in the Legislature – I have two young children. I will just speak briefly, if I may about it. We had an injury that was not critical, thanks be to God, to one of my kids where we had a complete blow out of the knee, if you will. That required a pretty heavy duty reconstruction.

The reason why I bring it up in the House today, Mr. Speaker, is the fact that even though it was not critical, it was a knee that required seven or eight trips from the Labrador portion of our great Province to the Island to deal with specialists and whatnot, I was lucky to have a family where we had two working parents, where one parent could shoulder the burden of that particular event in our family. It took a lot of time. There was a lot of stress involved. There was a lot of missed work. There was a lot of cost.

Through our medical travel programs in the Province you do get some money back, and the process was fine, but the upfront costs were extensive in order to deal with that; and to finally get to a situation where you have to deal with the stress on the child as well, and then you talk about a healing period and a rehabilitation period, Mr. Speaker, it certainly takes its toll on the family.

My point of bringing that up to the people who may be watching this at home is simply this: If you happen to have, and as I said before God

forbid, a child who is critically ill and whether that is due to an injury or some kind of extenuating health circumstances that are beyond the control of the parents and in some cases the expertise we have in the greatest medical professionals that we have here, I think, anywhere in the world, anywhere in Canada for sure, here in Newfoundland and Labrador, I can only imagine – and I cannot say that I stand up here 100 per cent and understand everything that they would be going through, I certainly cannot. I have been fortunate within my own family in that situation.

I would just like to say that you can only imagine that time must stop. When you are dealing with a child in your family who might be sick, or, God forbid, in the second part of this legislation we are going to cover here today, where a child has disappeared or has lost their life due to something that happens to apply to the Criminal Code, life stops.

You are worrying about trying to keep your family together and trying, I would imagine, to keep your sanity during such a tragic event. The last thing that anybody should have to worry about is whether or not their job is going to be lost because of the extended leave they are going to need to deal with this, to make arrangements, to help other family members through it, to try to come to some sense of peace within yourself about where you are with what has happened. You should not have to be worrying about whether or not you are going to have enough time to deal with that appropriately, to take the time to have a healing process within your own family and within your own community that is adequate for such a circumstance. You should not have to worry about somebody else coming in and taking your job away because you have gone away.

It has been mentioned in this House by both the Minister of Justice and some of our other colleagues from both sides of the House who have gotten up and spoke on this today that yes, it is in a sense piggybacked after some federal legislation and some changes, but I think it is a really good thing, Mr. Speaker. I would just like to say that all of us as MHAs and as community

members, not so much as politicians, but just being human beings, this piece of legislation allows us all to kind of cast politics aside just for a little bit of time here in the House and talk about being human and doing what is right.

We have all been there in our communities to stand up for each other when there are circumstances such as mentioned in the proposed amendments, whether it is illness or death or whatever the circumstance may be. We have all stood beside our own family members, we stood beside our communities, and we have even stood beside complete strangers when unfortunate circumstances arise.

I will speak directly to Lake Melville. I am sure everybody else, every district that is represented here in this great House is the same, but Lake Melville comes together, Mr. Speaker, like none other. Whether it is making those final arrangements or just helping shoulder the financial burden of tragedy, we come out, we block the Legions, we block those halls, we give generously out of our pockets, and we do whatever it takes to fundraise in those situations. It is along a similar line of thought of what is happening here today. It is at least taking some of the stress off the family, those parents who are going through an extremely rough time, and it is doing what is right.

Mr. Speaker, I think we have pretty much covered everything else in this House. The minister went over the details about what we are doing in the legislation itself, how it applies to the federal changes that were made, and how EI is now going to be available to people in these circumstances. We have also heard other people talk about how people feel and how this is going to help those families deal with the crisis that may be before them.

We have also heard people get up and just talk about the number of weeks: in the event of a critically ill child, thirty-seven weeks of unpaid leave and EI from the federal level to help the family deal with that; and as many as 104, God forbid there is the disappearance of a child or the death of a child due to a criminal activity. Mr. Speaker, nobody would ever, pardon the

expression, wish that upon their worst enemy; nobody in this Province, I think, would certainly ever want anybody to go through that. Unfortunately, some things are out of all of our hands and it does happen.

Even though we might be in here and there might be heated debates from time to time in our Legislature, both this and a federal level, so provincially and even municipally, it is nice to see that we are ready to come together at both levels of government, both federal and provincial, to deal with this issue and to make sure this is about people. It is about supporting people just as we no doubt love to do on the government side, but anybody in the House can say the same as well on both sides.

It is about supporting people and families. It is about doing what is right. When we come to a point in time where we have the absolute worst of circumstances for any family, this legislation says that both federally and provincially we are going to be there to at least try to eliminate some of the stress and take some of those worries off the table, Mr. Speaker.

It was also mentioned in the House here today, too, and it is so great to see, in terms of using the definition of a child, which comes from the federal definition, so that is fine and dandy there, but also the definition of the parent or caregiver. It might be somebody who is in a foster home, Mr. Speaker.

What you will see here, too, is that you have those bonds that are quickly developed within foster care. I think Newfoundland and Labrador is probably one of the best represented in terms of how big our hearts are, and how much we are willing to engage in foster care. You see a lot of foster parents even in this House of Assembly, let alone across our great Province, but what you see is that definition being included. It could be an aunt or it could be uncle or perhaps deceased parents as the primary caregivers.

It allows everybody to know that if you are a piece of the situation here you are going to be respected by the legislation, you are going to be provided with an avenue with which to, in most



cases, grieve, which is certainly not a finite period; but this allows plenty of time, I think, because each situation is going to be different surrounding a tragedy, if you will. Each family has a different amount of people, a different mixture of family members, and a different size community. It is going to be a different healing process, if you will, Mr. Speaker, for each and every person touched by tragedy, especially when children are involved.

With that, Mr. Speaker, not to delve into specifics of the legislation, it is very easy for me to stand on my feet today, as I am sure every hon. member will, and say that we are going to support this wholeheartedly. This is the right thing to do when it comes to supporting families and individuals who have been touched by unfortunate circumstances.

I would just like to thank everybody for their comments, and I thank the minister for putting this across the table here today. With that, I will say one final note. As a parent, I would like to wish health and happiness to every single person in the Province, and especially those parents who have those kids where the parents are simply everything to those children. I wish them health and happiness and I hope that nobody has to actually avail of this, but the fact that it is here and people can avail of it when times are tough speaks to the quality of our government, the quality of this Legislature, and the legislation we put through it.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER (Littlejohn):** The hon. the Member for St. John's North.

**MR. KIRBY:** Thank you, Mr. Speaker.

It is an honour for me to have a chance to speak to Bill 17, An Act to Amend the Labour Standards Act. Members have made a lot of contribution to the debate already, so I will not repeat a lot of what has already been said.

I want to first thank the minister for having his officials take the time and meet with members of the Opposition to discuss the rationale for this particular piece of legislation, which is progressive legislation I would argue. These amendments, when passed, will go a long way toward assisting parents affected with the unfathomable circumstances of losing a child to a crime-related death, a disappearance, or a critical illness.

As a father myself, I can only imagine how difficult it would be to deal with the sort of emotions that those sorts of rather cruel circumstances bring with them. Compounding all of that, of course, the emotional part, the grieving element, and all of the worry is the fear of economic certainty or the lack of economic security that comes along with that situation on top of coping with the pain, the suffering, and the day-to-day demands of family life while being forced to work at the same time. I think that is certainly a cruel situation to be put into.

So this legislation is compassionate in that it allows residents of the Province to take advantage of federal programs like Employment Insurance, taxable grants, and other programs without being forced to leave their jobs unnecessarily and unwillingly in a lot of cases. I am not going to speak at a great length about each particular circumstance, but I understand that these periods involved here were designed to dovetail with existing federal legislation, that they would fit together. That is a decent thing to be doing during the fall sitting of the Legislature.

According to the bill, an employee who is the parent of the critically ill child and who has been employed by the same employer for at least thirty days is entitled to a leave of absence from employment without pay up to thirty-seven weeks to provide care or provide support to a critically ill child, where a physician issues a certificate. I think that is a particularly good step and I might add that it applies to both full-time and part-time workers. In the case of a parent whose child has gone missing or whose death was a result of a crime, an employee who has been employed by the same company or

employer for at least thirty days is entitled to a leave of absence from their job without pay for up to fifty-two weeks.

I have some concerns about the amount of flexibility that this amendment leaves in the hands of management or a director in an organization, in a company, to determine what is reasonably necessary in terms of work absence. These issues are very much dependent on personal situations and perhaps even the coping skills of the parents involved. Perhaps that is why there should be a significant amount of compassion and flexibility built in here.

I also have some concerns about the physician certificate that is discussed in here. We think about alternative medicine today and mental health treatment that some individuals may be dependent on. They may not have been dependent on traditional Western medicine for treatment. I think that is something that has to be considered. I do not know if there is any clarification. I do not have a suggestion as to how that can be amended to reflect that. I think it is something that is important to think about. We were assured, however, through the briefing, that it be considered with compassion for the existing need and for the particular circumstances of the individual.

We can only trust the spirit of the legislation is not going to be defeated in some point down the road by an unnecessarily strict interpretation of how it is written. I think the proof will be in the implementation of this and how it practically is going to be put into place. Fortunately there will not be a whole lot of instances I hope where this would be even necessary.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. KIRBY:** I think the other concern we were discussing was the fact that – and somebody can correct me if I am wrong – really it boils down to only about 55 per cent of wage being covered by Employment Insurance or what have you. There is a significant hardship that parents will

still have to bear but this is far better than the current circumstances.

Employees should not have to choose between quitting their jobs once they have exhausted any compassionate leave they might have for these sorts of difficult periods. Of course, we do know that many employees, many workers, do not have that luxury either, but it is certainly true. I think everybody would agree here that people should not have to choose between taking care of their family and dealing with these sorts of heart-wrenching situations and leaving their jobs.

So having raised those few concerns, I am certainly proud to stand in the House and support the legislation. It is compassionate, it is a progressive direction for us to go in, and I am very happy that our Province is amongst the first four provinces to make changes to the Labour Standards Act to reflect the opportunities really presented by the federal legislation to alleviate some of the torment that people who are victims of crime or providers of care for critically ill often have to endure. So I will be pleased to vote in favour of this legislation.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Minister of Environment and Conservation.

**MS SHEA:** Thank you, Mr. Speaker.

I would like to take a few minutes to speak on the legislation that we are debating in the House of Assembly this afternoon. We are debating An Act to Amend the Labour Standards Act. The amendments that we are making are changes that you would hope you would never have to make because it acknowledges that sometimes some families have to experience the unthinkable, which is the loss of a child either through a critical illness, to have the child missing, or to have the child as a victim of a crime under the Criminal Code of Canada.

As we look at labour standards and reasons for leave, and we look at many different reasons why people would request a leave from work,

what we are talking about today I classify as the unthinkable, as I said, because it puts families in very difficult situations, and situations you would hope nobody ever has to face, Mr. Speaker. Facing the loss of a child and then having to worry about your employment status on top of that is something that we need to address with this legislation. It has been addressed federally and this complements what the federal legislation provides as entitlements.

I just want to build on what the Member for St. John's North said. What we are also dealing with here are the minimum standards, so an employer can do more, but what is being legislated would be the minimum standards.

When you think about the bond between a parent and a child, I go back to what parents would have to deal with under some of the circumstances we are dealing with. I remember when my daughter was born. It was around nineteen years ago now. I remember holding her as an infant. My biggest fear and worry in the world at that time was, what would I ever do if somebody hurt her feelings? So you could hardly imagine how you would handle if somebody hurt her feelings, let alone be able to get into some of the circumstances. Your mind was not even able to go there. That describes that protective nature that a parent has and the fact that a parent would do anything to protect their child and ensure their child is taken care of.

At times, we have to deal with situations where a child is critically ill and a parent has to deal with that or, again, loses a child, a child goes missing, or a child is a victim of an offence under the Criminal Code of Canada. We can all well imagine all the emotional turmoil that happens in a family at that time. This amendment today allows the fact that the parent can take leave. They can request leave from their employer. They can have this leave and then apply for what federal financial benefits may be available to them. That basically means there is some financial compensation to allow them to be able to stay home, but it provides that level of job security as well.

When you go through a crisis that is being described in this legislation the last thing you are worried about at that moment in time is your job. You are willing to do whatever it takes to be there to be supportive or to deal with the aftermath of a crime. At that time, your job is not the priority. As time passes, obviously your employment is the priority and you have to get back to work for many reasons. This legislation protects people who find themselves in that particular situation.

This is very similar to the compassionate care leave that we passed back in, I think, 2004. At that time, I was the Minister of Human Resources, Labour and Employment and it was the first piece of legislation I passed in this House of Assembly as a minister. The compassionate care is very similar to what we are dealing with here today, although the lengths of time a person would be able to request leave is lengthier under the amendments we are making today, but it is very similar. It looked at the care of a terminally ill family member, but I think it may have been up to eight weeks and it was defined differently. This is up to thirty-seven weeks or fifty-two weeks, depending on how a person applies for their leave.

So it certainly builds on the previous legislation that we had passed in this Legislature and one that is welcomed by people. As we build labour standards and as we look at different scenarios why a person may be on leave, basically the legislation just goes through what would be considered routine at first. Then this starts to dig a bit deeper and deal with situations that are very fortunately rare for families to have to deal with, Mr. Speaker.

As people are listening, they are probably wondering: Well, what is the definition of a child and who is defined as the parent? That is outlined in the legislation. The definition is there. There are also definitions of what classifies as critically ill. It lays out the parameters in which the leave can be granted. As I said, Mr. Speaker, sometimes it is for thirty-seven weeks and other times it is for fifty-two weeks. It also outlines the process; a person has to be employed by that employer for thirty

days prior to requesting the leave. We all know that there would be reasons for that as well, to ensure or to verify that this is bona fide employment the person is involved in as they apply for this leave.

This is support, Mr. Speaker, for parents, for working parents in Newfoundland and Labrador who do not necessarily have the luxury when they are faced with a crisis involving their child to be able to just walk away from their employment. This is to support families. It is to support working parents who have children who are under eighteen who are going through one of these scenarios that were outlined in this legislation, and it provides the supports that families need. This government is certainly aware of these supports and the fact that families need them. Oftentimes, because the situations we deal with are rare, it would not have been necessarily thought through in the legislation prior to it being enacted.

I also heard comments today that this is considered to be housekeeping. Mr. Speaker, I do not agree with that, though, because this is not just housekeeping. To people who have suffered the loss of a child through a crime or through the fact the child is missing, or somebody has to care for a child because the child is critically ill, this is extremely important. It is not hitting a lot of people, but for the people who it hits this is very sensitive, it is very emotional, and I think therefore it makes it very significant as opposed to being considered housekeeping. I want to make that point because for families who truly need this, this is very, very important legislation.

I would like to thank the Minister of Justice and the Minister Responsible for the Labour Relations Agency for bringing this forward because it is very much family friendly and supporting families when they are most in need.

Thank you, Mr. Speaker.

**MR. SPEAKER:** If the hon. the Minister of Justice speaks now he will close the debate.

The hon. the Minister of Justice.

**MR. KING:** Thank you, Mr. Speaker.

I am very pleased to have a few comments now to bring closure to this debate on Bill 17, the changes to the labour bill to support parents and families. I want to first of all thank all members who have participated in this discussion today. A number of questions were raised that I suspect may come up again once we get into Committee stage, and I will certainly do my best to answer them.

I do want to echo though comments made by my colleague the Minister of Environment a few moments ago that this is a very progressive piece of legislation. It dovetails into the federal legislation. The federal government will carry the compensation piece here. What we are doing today is simply enshrining in law that people in Newfoundland and Labrador, parents in Newfoundland and Labrador who have critically ill children as a result of a crime or a child death, will have protection that ensures that they can take some time off work, unpaid leave. Then they of course can tap into the benefits that are available on the federal side.

As my colleague said, it is certainly a long ways from what I would call a housekeeping bill. I think this is very important. For people who I have talked to who have been affected by this in particular, they see this as a very welcome piece of legislation. For those who may not have had the opportunity to avail of a support like this in the past, I think those who have experienced the kinds of things we are talking about here today would say that at least it will benefit those who may experience something similar in the future.

A number of speakers on the other side in particular have talked about reasonableness here. I think it is important to point out that first of all the legislation provides guidelines about who is eligible to apply for this particular leave provision. It provides guidelines around the process to be followed.

To be fair, every intent here is that there will be a degree of reasonableness, but it is very difficult to put something as important as this in law, leave it open ended, and say that someone

can avail of it whenever they want for whatever the period of time they want. That is why when we consulted with employers on this – and we had to consult with employers; they are the ones who are going to have to bear the brunt of this, enact it, and figure out how it affects their business – it was recognized that a degree of reasonableness will have to be provided.

At the same time it is not unreasonable to expect that in an instance where there has been a crime related to a child death or an illness, an employee would provide some sort of documentation to the extent they can to support their request for leave. That is what is intended here. There is absolutely no intent in this legislation to stifle anyone. As a matter of fact, Mr. Speaker, government is being very proactive here in bringing this forward. I also might add, for one or two speakers who sort of touched on having increased benefits, that government is merely setting the low end of the scale here. There is absolutely no reason that an employer cannot provide more benefits, more leave. All we are simply saying in this legislation is that anyone who meets the criteria described in this legislation, there is a minimum standard that anyone would be entitled to.

I would hope and I suspect that there will be a number of employers out there who will, in fact, exceed this. As a matter of fact, I do know of employers, personally, who have provided significant leave and support – financial support included, I might add – to employees who have experienced similar circumstances to what we are talking about here.

Again, though, this is simply the minimum. It is not the view of this government, at least – it may be the view of Opposition parties, but it is not the view of this government that we are going to go in and dictate any further than we are doing here today. We are trying to provide a comfort for employees, in working with employees, that provides them with leave entitlement and result in benefits from the federal government, but we certainly are not attempting and do not plan to attempt to go beyond where we are here today and get more prescriptive about what employers

ought to do and what the benefit levels ought to be.

What we are trying to do here is develop a partnership with the federal government and employers throughout the Province where all three of those particular groups recognize and support moving forward on this initiative to provide support for employees.

It is a tough bill to debate in some respects, because there are members on all sides of the House who have experienced this in their families in particular, and have experiences that they could share first-hand that I am sure are not easy to share. That always creates, sometimes, a little challenge in dealing with these issues. This is a very important bill, and I think it will be very effective and very supportive of parents and families.

Also, one of the members from the New Democratic Party, if I am not mistaken, talked about a concern with this because of currently there being a backup of cases as the Labour Relations Board. I just want to point out for the member that you are little tiny bit off there on your information. This is not with the Labour Relations Board; this is with the Labour Standards Division, which are two completely different entities within my department.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. KING:** Within the Labour Standards Division, there is no backup of cases or files. So, just for clarification, you are probably thinking about the board that does other rulings and things like that. That is not where this is; this is in the Labour Standards Division.

The other thing, as a result of that, I just want to make sure people are clear on, especially if people heard some of the previous comments, is that in the event that an employee attempts to avail of the provisions here, of the leave – it has nothing to do with the financial piece, because that would be up to the federal government to administer; but if an employee wants to avail of

the leave provisions here and there is a dispute, it does not go to a board for consideration. There is an employee within the Labour Standards Division who would hear such cases. It is not a board, Mr. Speaker; there is an employee who has been assigned the responsibility.

Again, to repeat myself because I think it is important, it is every intention of this government and of the Labour Standards Division to apply a strong degree of reasonableness within this particular leave provision. In instances where there is a disagreement with an employer or between an employer and an employee it would be our intention, if it comes back to the person responsible, to apply as much reasonableness as we can. I keep bringing people back to the intent of this bill. There are two provisions, two changes we talked about here in this bill. I will just read them once again.

The first change is to “establish a category of leave without pay for employees whose child has disappeared or died as a result of a crime”, and the second one is “establish a category of leave without pay for employees whose child is critically ill”.

I wanted to read that out for the record again, Mr. Speaker, because it is important to understand that the spirit of this bill is to provide as much support as we possibly can to parents and families who may find themselves in this circumstance.

When we talk about there potentially being a lack of reasonableness, it is my view as the minister responsible that that would be as far from the truth as you are going to find in this instance. This bill is being brought forward for the very opposite. It is to be as reasonable as we can and we expect employers to be as reasonable as they can, and in fairness, we expect employees who need to avail of this to work with us and work through the process.

We recognize, as I heard a number of members opposite say, that there are going to be times when you cannot provide two weeks' notice.

We understand that. That is why there are provisions made in here, as I said in my opening remarks, that it is not required two weeks' notice; but if an individual has two weeks' notice, then we would expect they would provide that.

There is every provision here that if something happens spur of the moment that no person is going to be denied leave. As I said, I have to keep repeating myself, the intent of this bill is to support families, not to offer leave and then put up roadblocks as to why they cannot get it.

There has been a few criticisms directed that way and I want to make sure that people understand, by way of my closing comments, that this is a very progressive piece of legislation. It follows on what we have been trying to do to support children and support families in this Province. We have done a number of significant initiatives. We are doing, as a matter of fact, a couple of pieces of legislation tomorrow that are going to be very important. We will continue to do that because our government is committed to supporting families and children in this Province with positive legislation and family-friendly regulations where we possibly can.

By way of conclusion, thank you to everyone who participated in the debate. I really appreciate your thoughts and input.

**MR. SPEAKER:** Is it the pleasure of the House that the said bill be now read the second time?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, 'nay'.

Carried.

**CLERK:** A bill, An Act To Amend The Labour Standards Act. (Bill 17)

**MR. SPEAKER:** This bill has now been read the second time.

When shall this bill be referred to a Committee of the Whole House?

**MR. KING:** Now.

**MR. SPEAKER:** Now.

On motion, a bill, “An Act To Amend The Labour Standards Act”, read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 17)

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you.

Mr. Speaker, I move, seconded by the Minister of Natural Resources, that the House resolve itself into a Committee of the Whole to consider Bill 17, An Act To Amend The Labour Standards Act.

**MR. SPEAKER:** It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill.

Is it the pleasure of the House to adopt the motion?

All those in favour, ‘aye’.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, ‘nay’.

Carried.

On motion, that the House resolves itself into a Committee of the Whole, Mr. Speaker left the Chair.

### Committee of the Whole

**CHAIR (Verge):** Order, please!

The Committee of the Whole will be considering Bill 17, An Act To Amend The Labour Standards Act.

A bill, “An Act To Amend The Labour Standards Act”. (Bill 17)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The hon. the Member for Cartwright – L’Anse au Clair.

**MS DEMPSTER:** Thank you, Mr. Chair.

As I said earlier when I stood and spoke, I support the bill. It is a very good bill and it is definitely a step in the right direction, but I would like to see an amendment in the bill where it says, “...considering the circumstances, that the child disappeared as a result of crime.”

For the reasons that I outlined prior, I believe we need to broaden that and it not just be for parents who have lost a child as a result of crime. I believe if you have lost a child through a drowning, through a plane crash, through a highway crash, the impact of the death is still there. It can still take the parent that much time to get back into a routine to be able to go back to work.

I think what we are saying here is if you lose your child through crime the pain is worse; the process is tougher to get through. There is more time for recovery. Because I have lived it, it is personal for me, Mr. Chair, I believe that I am confident. I have done a lot of research in this over the last fifteen years. I am very well connected with many parents and many groups right around the Province. I could talk on this all afternoon and I am quite comfortable to do so. I do not understand why there was just one particular group that was segregated here.

Thank you.

**CHAIR:** The hon. the Minister of Justice.

**MR. KING:** Thank you, Mr. Chair.

As I said in my concluding comments, I think the member just touched on it, this is a very sensitive, a very emotional issue and there are

people who have been directly impacted to that. I accept that and I respect that fully. I want to make sure this does not turn into a debate that one has higher morals than another because something is not in the legislation. That is not what this is about.

I will be very clear; I fully support what the member has just said. I do indeed, but what I want to explain here is that this particular piece of legislation is dovetailing into a federal piece of legislation, and the federal piece of legislation does not speak to other deaths in the Province.

I will say to you, by the way, there is provision in the Labour Standards Act for leave for those things, but this – I understand the length of time, but you need to understand if you are making legislation you need to understand how it works. We cannot make a law here that we cannot enforce. We cannot force the federal government to compensate someone in this bill. We have to follow suit with their legislation. That is how it works.

To be clear, because I am always uneasy when we wave into people who lose a child like this is getting more significance than someone else, because there is nobody saying that here, there is no one. Any loss of a child, any injury of a child, this government, and I as minister fully accept that you do not put one over the other. That is not what this is about.

This is about a debate tying Newfoundland and Labrador's employers into a federal piece of legislation which will now ensure that Newfoundland and Labrador employees can avail of the benefits provided by these two categories for the federal government. I will read them again to be clear, because this is federal government legislation that we are going to be dovetailing with. It is for "...a category of leave without pay for employees whose child has disappeared or died as a result of a crime", and it is "...a category of leave without pay for employees whose child is critically ill."

All the Government of Newfoundland and Labrador is doing is establishing that if we support this bill today, these two groups of

people – or families who fit in one of these categories will be ensured leave as provided in our legislation. In turn, once the leave is provided, there is resulting compensation provided by the federal government. That is all, it is nothing more.

This is not about trying to characterize one person's personal experience with another and saying it is worth or less more. That is not what this debate is about. It is simply ensuring that our provincial legislation ensures Newfoundlanders and Labradorians are able to avail of the same benefit that other provinces are through the federal legislation on this issue.

**CHAIR:** The hon. the Member for St. Barbe.

**MR. BENNETT:** Yes, Mr. Chair, this seems like a fairly useless piece of feel-good legislation the government brought in just to extend the term. My issue with it is that nowhere does it say employer. It is clear to me that this piece of legislation is designed to provide some sort of a benefit, which is pretty much a phantom benefit to the employee.

Reading this, it is very difficult to hire employees in rural parts of this Province. Not the urban parts, maybe somewhat in the urban parts but in the rural parts. I will call on any of the members in their various communities.

Let's say the Member for Exploits is going to tell his constituent in Leading Tickle: Yes, my dear, you have a convenience store here now – I think there are only one or two there – or you have a chip stand you operate in the summertime. He knows who I am talking about. That person has one employee. That employee's child is killed by a drunk driver in Fort McMurray. Now that person is entitled to two years leave without pay.

The employer has to go and find somebody to fill that slot for the next two years, and say: Well, I would love to hire you but I cannot guarantee you past two years. As a matter of fact, I cannot guarantee you any time inside of two years because the person who just lost their child or had to take off to Fort McMurray or



wherever, who may well be working up there, could come back and say I want my job back.

This piece of legislation does absolutely nothing for the small employer. I am not as concerned about the big employer who may well be able to accommodate such a situation, but all of the small employers – and I notice some grumbling on the other side and some murmuring on the other side. I would be happy for all the people on the other side who have ever hired somebody, who have ever created a job and whoever had a small business whereby they had to put their name on the dotted line for the mortgage, for the line of credit and who had to be personally exposed, if they are not incorporated, to the Labour Standards Act that they treat their employees properly.

For sure they want to treat their employees properly, but this creates an additional legal liability on small employers which will make it more difficult to carry on a small business in this Province. I bet if there are any small employers watching, and they probably are not because they are too darn busy running their own companies in this economic downturn, this government has been completely devastating for small business in this Province outside of the major centres.

**MR. LANE:** (Inaudible).

**MR. BENNETT:** I hear the Member for Mount Pearl, the one who did not get into Cabinet, is chattering back and forth. I would encourage him to speak to this matter and explain to the small employers in the small communities what this means to them.

Mr. Chair, reading this, I see what it means. It is well intentioned. It means to do a good thing for a bereaved person, but at what expense to the small employer? The small employer who says: my employee just went and I am trying to hire someone else to replace that person. How long do you want to hire me for? Well, I do not really know. What do you mean you do not know? Well, any time within the next two years the person who just left to handle this

bereavement issue may come back and ask for their job back.

Mr. Chair, it is nearly impossible in some small communities today to hire employees in any event and this is something that will make it more difficult for small employers. This government is attempting to do something to confer a benefit on someone who is bereaved at the expense of somebody who is struggling. To me that simply is not equitable.

It is not well thought out, but to go against it would say you do not care about the people who have lost somebody. You do not care about the people who have somebody sick. What I am saying is what does this government have for small business? What has this government ever done for small business except make it more difficult for them to operate?

In Estimates some time ago, I asked the minister who was then the minister – who is now a different minister for something different because they move them around quite a bit, especially with fisheries and IBRD. Can you tell me who is in charge of Red Tape Reduction? He said: no, as a matter of fact, I not know who is in charge of Red Tape Reduction.

**SOME HON. MEMBERS:** Oh, oh!

**CHAIR:** Order, please!

I would ask the member to restrain his comments to the principle of the bill that we are talking about, clause 1 actually.

**MR. BENNETT:** Thank you, Mr. Chair.

In fact, this only adds to the red tape for the small employer. The small employer has to be able to accommodate the person who has a benefit from this bill, will have to keep track of – okay now, this person is gone because their child died as a result of a crime, or maybe was kidnapped, we do not know where they are, and now I have to keep this job open for the next two years; but, meanwhile, I have to hire somebody.

So, I have to hire somebody in the rural parts of the Province which is a negative, difficult thing to do, find somebody in the South Coast of Labrador who can come and work for you for the next – not necessarily two years, maybe three months, maybe six months, maybe a year, maybe as much as two years; but, as soon as this person comes back from their bereavement leave, then your job is gone.  
So, you are out of here and I have to hire this person back.

Meanwhile, it does not provide much protection for the person who lost the job because the person who comes back and lost the job, they can still be let go without notice under the Labour Standards Act with minimal notice, give you a couple of weeks' notice and you are gone.

Like I said earlier, this is a piece of feel-good, useless legislation. It seeks to help somebody. It fills up the debating schedule for members of this government, but it really does not do much for anybody.

I would like to see the employers in this Province rise up against this government and say you have to give us a shake, we are the ones who create the employment, and you put another burden on us.

Thank you, Mr. Chair.

**CHAIR:** The hon. the Minister of Justice.

**MR. KING:** Mr. Chair, I am not even sure how to respond to those remarks. I have to say I cannot believe that – I wrote it down – the Liberal Party is saying that protection for parents and families who have children who have disappeared or died as a result of a crime, and for those whose child is critically ill, that the Liberal Party is calling this a –

**SOME HON. MEMBERS:** Oh, oh!

**CHAIR:** Order, please!

**MR. KING:** – useless piece of feel-good legislation. It is the most backward comment I have ever heard in my entire life, to be frank

with you. I cannot believe that the Liberal Party is putting that forward as their policy. It is unreal, Mr. Chair.

**MR. JOYCE:** (Inaudible).

**MR. KING:** If the Member for the Bay of Islands wants to speak, he will have his turn.

**MR. JOYCE:** A point of order, Mr. Chair.

**CHAIR:** Order, please!

The Member for the Bay of Islands, standing on a point of order.

**MR. JOYCE:** Yes, just because Paul Oram and Shawn Skinner thinks the Premier should move on, that does not mean the PC Party –

**SOME HON. MEMBERS:** Oh, oh!

**CHAIR:** Order, please!

There is no point of order.

The hon. the Minister of Justice.

**MR. KING:** Thank you, Mr. Chair.

As I said from the beginning of my comments here that I am speaking to comments that have been put forth by the Liberal Party. I am trying to keep my comments in reaction to that. The comments were made that this is useless piece of feel-good legislation.

I am so disappointed to hear a member in the House talk about legislation, this legislation that ensures that parents who have critically ill children or a child who died as a result of a crime – provides assurances that in their times of trouble they are guaranteed leave. I cannot believe the party opposite calls this is a useless piece of feel-good legislation. This is totally, totally unreal.

To bring this debate to a discussion between small businesses in rural Newfoundland and –

**SOME HON. MEMBERS:** Oh, oh!

**CHAIR:** Order, please!

**MR. KING:** To bring this discussion –

**SOME HON. MEMBERS:** Oh, oh!

**CHAIR:** Order, please!

The hon. the Minister of Justice.

**MR. KING:** Thank you, Mr. Chair.

As I said, I am speaking to the legislation that is before the House. I am very disappointed, I will go back to it again, with the Liberal Party to call this a useless piece of feel-good legislation. It just boggles the mind. We are here today trying to put forward a piece of legislation that supports families in this Province, supports families in their worst of need.

I will give credit to the Member for Cartwright – L'Anse au Clair. She raised some very good points, spoke what I thought was very positively towards this legislation, and made some comments that I do feel need to be addressed at some point in time, with all due respect, relative to other families outside of this context who lose children. I thank her for that because there may be an opportunity to do that.

The previous speaker's comments have just totally blown the doors for me today off of what this debate is all about. I cannot believe a member stood in this House and said this is a useless piece of legislation. I am certain that parents and families across this Province are going to be astonished to know that was said by a member of the Liberal Party here today.

This, in my view, is a positive piece of legislation. It is about supporting families and those who have been affected by these terrible circumstances. This is not about affecting employers; it is not about investment in small business. That is a debate for another day. This debate today is about hopefully – hopefully – getting support from all members in this House for parents and families across Newfoundland and Labrador.

**CHAIR:** Shall clause 1 carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, clause 1 carried.

**CLERK:** Clause 2 –

**AN HON. MEMBER:** (Inaudible).

**CHAIR:** Order, please!

**CLERK:** Clause 2.

**CHAIR:** Shall clause 2 carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

**CLERK:** Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

**SOME HON. MEMBERS:** Oh, oh!

**CHAIR:** Order, please!

I would ask members for their co-operation. We are passing a piece of legislation in Committee and I would ask all members for their co-operation.

**CLERK:** Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

**CHAIR:** Shall the enacting clause carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, enacting clause carried.

**CLERK:** A bill, An Act To Amend The Labour Standards Act.

**CHAIR:** Shall the title carry?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, title carried.

**CHAIR:** Shall I report the bill carried without amendment?

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

**CHAIR:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Chair.

I move that the Committee rise and report Bill 17, An Act To Amend The Labour Standards Act.

**CHAIR:** The motion is that the Committee rise and report Bill 17.

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay'.

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, Mr. Speaker returned to the Chair.

**MR. SPEAKER (Wiseman):** Order, please!

The hon. the Member for the District of Lewisporte.

**MR. VERGE:** Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 17 carried without amendment.

**MR. SPEAKER:** The Chair of the Committee reports that the Committee have considered the matters to them referred and have directed him to report Bill 17 without amendment.

When shall the report be received?

**MR. KING:** Now.

**MR. SPEAKER:** Now.

When shall the bill be read a third time?

**MR. KING:** On tomorrow.

**MR. SPEAKER:** On tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you.

Mr. Speaker, I call from the Order Paper, Order 1, Address in Reply.

**MR. SPEAKER:** The hon. the Member for Mount Pearl South.

**SOME HON. MEMBERS:** Hear, hear!

**MR. LANE:** Thank you, Mr. Speaker.

It certainly is a pleasure for me to stand in this hon. House once again and say a few words as it relates to Address in Reply. For those watching – because sometimes I think the people are a little unclear about how the procedure is working and so on.

It is interesting, because I actually received a number of e-mails on Thursday, and a couple of the people I ran into on the weekend, and they were a little upset. I was wondering what they were all upset about. They were a little upset in some of the e-mails I had because they felt the Member for Burgeo – La Poile on a couple of occasions had been calling me out, I think was how they sort of phrased it.

He would be grandstanding and say: I ask the Member for Mount Pearl South, why you don't you stand on your feet? Why don't you talk about the rural roads and the snow clearing? Then another day he talked about: Why doesn't the Member for Mount Pearl South stand up and talk about CETA, was he not part of the negotiations?

I tried to explain to people the rationale of how all this works. It is important people realize that. The reason why, of course, the members opposite can be up so often speaking and can make those statements – they know very well we cannot get up, because the way the system would work, Mr. Speaker, as we all know in this House, is that because there are only a few of them over there, well they do not have much choice but to put the member up from Burgeo – La Poile because there are only a handful there. He will get up on a number of occasions, and he can challenge me, but he knows I cannot get up –

**MR. JOYCE:** (Inaudible).

**MR. LANE:** Now the Member for Bay of Islands is over there chirping again, and that is normal, challenging me once again. I have no problem getting on my feet, Mr. Speaker, and

speaking to the issues. Despite the fact that the Member for Bay of Islands does not like it – I obviously hit a nerve. He is over there chirping away, but he is nodding his head. He agrees with me.

Now I want to say to the people who sent me these e-mails, I want to say to the people who I bumped into over the weekend as it relates to that. That the Member for Burgeo – La Poile is a fine fellow, he really is. I enjoy his commentary. He makes lots of commentary. He makes sense on a lot of points. I think he has a job to do. They said, well why did he call you out? I said, well, I think it is because he likes me. I think it is a mutual thing, right. I respect him, he respects me. That is why he likes to give me a shout-out every now and then. So, that is all good.

I would just say to – who was it? – Joe: no, it is not sarcasm, it is just politics. He is not really that sarcastic. He is just trying to make a point. I would say to Jim: he is definitely not arrogant. That is not what it is all about. I would say to Mary: I am not sure what she means by the apple did not fall too far from the tree. I am not sure what that one meant, but anyway.

Mr. Speaker, in terms of CETA, because the member made some commentary about CETA and the fact that he would like to debate CETA and so on. Mr. Speaker, was I part of the CETA negotiations? Of course I was not, neither was the member opposite. None of them were. I was not a part of it.

We have a negotiating team, Mr. Speaker, of professional people, similar to the situation we had with Nalcor. We have professionals. We have professionals in that industry. We have professionals in the Department of Innovation, Business and Rural Development. I have gotten to meet those individuals since going to that department and they are very professional people.

Those were the people who represented Newfoundland and Labrador. Those were the people who were part of the negotiations under the guidance of the Premier and of the Cabinet

in terms of what our position would be. Those were the people who negotiated that deal.

No, I was not part of those negotiations, neither was the Member for Burgeo – La Poile, and neither was the Member for Bay of Islands over there. We had competent people who were there and got a great deal for Newfoundland and Labrador, got a fantastic deal for Newfoundland and Labrador.

Not only were those people able to negotiate this agreement – and there are a lot of good things in that agreement. Everybody on this side of the House I would assume, and the other side, were briefed on CETA as to the different elements of CETA. To me, as a person who has to take in that information, read the information, ask questions – and I was elected just like the members opposite as a representative of the people to then sort of take this all in and make a judgment call as to whether I think it is a good deal or a bad deal. I think it is a great deal.

In addition to that, we were able to negotiate \$400 million – of course, it is \$280 million from the federal government and \$120 million from the Province – to be able to invest in the fishery, the fishery of the future, to be able to enhance the fishery, to be able to bring more innovation into the fishery, to be able to market our fish products and so on, Mr. Speaker. This is the biggest investment we have ever seen in the history of this Province in terms of an investment into the fishery.

Prior to that, I understand it was \$60 million somebody said, or \$66 million, somewhere in that neighbourhood was the biggest they could ever remember. We had members of the industry with the processors, Mr. Butler; we had Mr. McCurdy with the FFAW, who have all endorsed this as a great deal for Newfoundland and Labrador. Certainly the architect of all that was our Premier, and hats off to her once again for negotiating a great deal for Newfoundland and Labrador. That is what I would say to the member about CETA.

**MR. JOYCE:** (Inaudible).

**MR. LANE:** The Member for Bay of Islands is over there chirping again. While I am not an expert on CETA, I know as much about it as he does, I can guarantee you that, and any other topic for that matter.

**MR. SPEAKER:** The hon. the Member for Bay of Islands on a point of order.

**MR. JOYCE:** I say to the member, I agree with you. That is why I like to see the deal before I make a comment. I am not a sheep. I do not walk in and agree with something, Mr. Speaker, for the sake of doing it. I like to see what the deal is so I can make an honest, informed, and educated decision on it.

**MR. SPEAKER:** There is no point of order.

**MR. LANE:** Okay, so we are talking about sheep or a weasel. I am not sure what it was we were talking about.

Anyway, that was CETA.

**MR. JOYCE:** (Inaudible).

**MR. SPEAKER:** Order, please!

**MR. LANE:** He is over there chirping again, Mr. Speaker. I know.

Mr. Speaker, that was one question about CETA. That is where I stand on that one.

In terms of the other point the Member for Burgeo – La Poile made on Thursday I think it was, when he made the point and then it kind of ended, so I could not respond. He was talking about snow clearing. I think it was twenty-four hour snow clearing, and how does the Member for Mount Pearl South feel about twenty-four hour snow clearing in rural Newfoundland and Labrador, or something to that affect. It is fine for him, he is in Mount Pearl.

Well, Mr. Speaker, I would ask the member opposite and I would ask all the members opposite, they formed the government for a number of years. Some of them over there were even in the government. I am not sure if they

had twenty-four hour snow clearing all over the Province. I would not say that the plows could even get down the highways without beating them up every few feet because of all the potholes. Roads were tore to pieces and everything else. Sure, it was not fit to put a snowplow on or anything else.

Mr. Speaker, when it comes to the investment this government has made, I think it is quite apparent as you look around the Province in terms of the infrastructure, in terms of the water and sewer, in terms of the roads. Yes, are there spots in Newfoundland and Labrador that roads still need to be done? Absolutely, Mr. Speaker, we are still working on it. It is a work in progress.

The reality of it is that eventually as you get to all the roads, you have to start again. So you start off here and you are doing this section, and you are doing some more, you are doing some more, and you are doing some more. By the time you finally get it all done, the road you did ten years ago or whatever the time period was needs to be done again.

That is no different on a provincial basis as it is on a municipal basis. When I was a member of the Mount Pearl city council, it was the same issue we had to deal with. You do the roads as they need to be done. You have so much money to do it. It is not just the asphalt. Then there is the underground infrastructure that has to be taken into effect. That deteriorates over time. Of course, when you have to deal with the underground, which is the part you do not see, that is where the big dollars kick in. That is where the huge dollars kick in.

Sometimes someone will say, my goodness, all you did this year was a couple of roads, but maybe the year before you did a lot more roads. Why is that? Well, it is because this particular underground infrastructure here all had to be replaced. That is millions of dollars associated with that, never mind the top half that you see and the asphalt you drive on. It is what is underneath as well. So in terms of the roads and so on, the roads are in great shape in

comparison. There is stuff to be done, absolutely.

There was also commentary about the rural roads versus the urban roads. As MHAs, Mr. Speaker, we are all elected by the people in our districts. We are elected to look out for their needs and to address their issues. A lot of times you have day-to-day issues that a constituent would have, and then you have the overall issues for the community as a whole, but we are also part of a bigger picture. We are also part of that larger provincial picture.

While my focus on a day-to-day basis is around the City of Mount Pearl and the issues they have, whether it is issues the city council have; whether they are looking for money for roads, infrastructure, recreation, or whatever; whether it is day-to-day issues that my constituents have; whether it is seniors who are looking for information on their residential energy repair program or Home Heating Rebate, or somebody is not getting approved for a particular medication and so on and they want to appeal it; or whether it is housing issues, we all have those issues. Those are our focuses that we have to deal with on a day-to-day basis, but we also look at the bigger picture as well.

At the end of the day, while I represent the District of Mount Pearl South, on the bigger scheme of things I represent Newfoundland and Labrador.

**MR. JOYCE:** (Inaudible).

**MR. LANE:** Yes, I absolutely do.

Anyway, we have more chirping going on there. It never stops, but that is fine.

As I was saying before I was so rudely interrupted once again, Mr. Speaker, we have to be mindful of the big picture because we are all part of this Province. I might add it is the Province of Newfoundland and Labrador. We are one Province. We are not two separate provinces, I say to the Member for Cartwright – L'Anse au Clair. We all have people, we all

have family, we all have friends, and we all have roots all throughout this Province.

I have spoken about this in the past, Mr. Speaker. Mount Pearl really is one large rural community. If you were take all of the people out of Mount Pearl who come from rural Newfoundland and Labrador, there would not be anybody left because we are all from there.

I have talked about in the past my family, my father from Englee and my mother from Wesleyville. They call it New-Wes-Valley but it is Wesleyville as far as I am concerned and always will be. I support rural Newfoundland and Labrador.

**MR. FORSEY:** Your aunt is from Bishop's Falls.

**MR. LANE:** That is right. I have an aunt in Bishop's Falls in the District of Exploits, exactly. I have relatives in Corner Brook. I have them in Gander. I have them in Stephenville. I have them in Labrador. I have them in Bonavista South, Catalina, Bay Roberts, and all over this Province, Mr. Speaker, and I support each and every one of them.

In supporting them, Mr. Speaker, it is important that we realize there are many needs – many needs – but there is a finite amount of money to address those needs. That is where we get into balance. That is where we get into having to balance what the needs of the people are versus what money you have to invest in those needs. That is what governments do. We make choices. Sometimes we have to make tough choices. Sometimes the choices are very easy to make.

One thing is for sure, Mr. Speaker, regardless what choice you make when you are in government, you will never please everybody. I am convinced it is absolutely impossible to please everybody. It just cannot be done. So you do the best you can with what you have, bearing in mind the needs of the people and trying to be fair in balancing out what that is, whether you spend on health care, education, rural development, municipalities, roads and

infrastructure, recreation, invest in economic development, or tourism. All of these things we have to balance out to try to progress our Province, to try to make it not just a great place to live, which it is now, but an even better place to live. That is what we all do.

Part of that, Mr. Speaker, in doing that, is what we do here. We debate issues, and there is nobody – although, I have to say, I was really taken aback by the comments by the Member for St. Barbe as been referenced in the last bill. That one really blows my mind; but, beyond that, which you see happen from time to time, there is nobody in this House of Assembly on either side in either party that is not here, I believe, for the right reasons. There is nobody.

Would everybody here like to be part of the government? Absolutely. We want to stay in government; they want to be a government. That is just the way it works. In that, you get some jockeying back and forth. You get a lot of politics played. You have a lot of spin going on, but at the end of the day everybody, I believe, is here for the right reasons.

I know why I entered politics. I entered politics to make a difference in my community and in my Province, and I believe everybody else here on all sides did the same thing. As I said, in doing that, choices have to be made, and there are different approaches that have to be taken on how we get where we want to go.

I believe, as a government, you cannot deny when you look at where we were and where we are now, I think it is quite evident that somewhere a long the way we have made a lot of great choices – we have made a lot of great choices. We signed a lot of great deals in terms of our natural resources. We have made a lot of great strategic investments.

**AN HON. MEMBER:** (Inaudible).

**MR. LANE:** As my colleague says, we have reduced our debt, which is really important. Because we were in a place, Mr. Speaker, quite frankly, where we were buying our groceries on our credit card. That is just not sustainable.



That is not sustainable and that is why we had to concentrate putting money on that debt.

We have also had to invest in the infrastructure deficit. The huge infrastructure deficit, which we inherited, and we have chipped away at that. Yes, absolutely offshore oil and minerals is a huge part of it. No one is denying that. Absolutely, we have money coming in from offshore oil and that has had a major impact on our ability to deliver on infrastructure, our ability to deliver on social programs is because of that. We have invested it there and we have invested wisely. We will continue to do so.

We cannot do it all at once, I would say to the members of the Third Party. We cannot do it all at once. We have to do it strategically.

**AN HON. MEMBER:** (Inaudible).

**MR. LANE:** I am not going to say that.

We have to do it strategically, Mr. Speaker. It all cannot be done at once. We have taken this approach where we are confident in the decisions we have made, we are confident into the deals that we have forged, and the partnerships we have formed.

There is no doubt in my mind that as far as this Province goes we are only at the beginning of our potential. Over the next number of years things are going to get better and better. As the Premier has said, the best is yet to come.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

Given the hour, I move, seconded by the Minister of Fisheries, that the House do now adjourn.

**MR. SPEAKER:** It has been moved and seconded that this House do now adjourn.

All those in favour, 'aye'.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, 'nay'.

Motion carried.

This House stands adjourned until 1:30 p.m. tomorrow.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.